

1. Consultation



Consultation

1.

Overview

In an initial email response on 20th November 2012, the CNPA confirmed that the approved National Park Partnership Plan (NPPP) lays down some key principles for Scottish National Parks. CNPA also suggested that the following proposals are considered:

- NPPP
- Planning Policy – local plan and supplementary guidance.
- Landscape and Visual Effects - Opinion on landscape mitigation proposals and understanding of view regarding most sensitive areas for landscaping. This section of work also needs to consider the landscape special qualities of the National Park. (Addressed in Chapter 8 of this ES)
- Ecology – habitat networks, habitat loss particular discussion regarding impacts/mitigation regarding severance of wildlife corridors. (Addressed in Chapter 7 of this ES)
- Biological records from the CNPA, either from them direct, or from other organisations they might indicate (e.g. the local badger group). (Addressed in Chapter 7 of this ES)
- Access and recreation – ensuring all current access across the route remains and enhanced links are provided to the wider path and road network. (Addressed in Chapter 11 of this ES)

Further consultation has since been undertaken and has therefore guided the structure and content of the Policies and Plans Chapter.

The following sets out those responses that relate to the proposed approach of the submission:

With regards to Air Quality, the Environmental Health Department at THC agreed with the scope and approach of the methodology and confirmed the proposed receptor locations were acceptable. On the issue of noise and air pollution, THC requested that for the northern extent of the scheme, justification of the choice of widening to the east side would be expected; and that if the choice was confirmed noise mitigation measures should be incorporated. They also provided a response with regards to Traffic Noise and Vibration; comments were provided in relation to relevant data sets and further information requirements.

CNPA highlighted the potential presence of a battle site near Dunachton Lodge and THC Cultural Heritage Service and HS provided a positive response with regards to the outline approach towards assessing the proposed Schemes impact upon cultural heritage.

With regards to Ecology, surveys began prior to consultation. CNPA proposed the inclusion of deer fencing with low level mesh which would extend beyond the extent of the scheme. Culverts and underpasses need to be as attractive as possible to dispersing wildlife. Concern was also raised over the construction of a new access road at Alvie. The CNPA have stated that this would disrupt an area identified on the Ancient Woodland Directory.

Our ecologist contacted SNH (Wildlife Operations Unit) with regards to the proposed Scheme and specifically deer related aspects. SNH subsequently provided comments relating to appropriate mitigation measures. Other subjects discussed include locational information for bird interests and air quality issues in relation to sensitive vegetation communities. Liaison with SNH was also undertaken with regard to land-take in relation to scheduled sites. With regards to further information on species and habitats SNH suggested that background information was obtained from previous work done in relation to dualling proposals in the area, specifically the 2007 Environmental Statement. SNH suggested that contact with the RSPB would provide data for Insh Marshes SPA.

The RSPB subsequently provided information regarding the likely impact on designated sites. The main impacts identified were those relating to the wetland habitats. RSPB suggested that the discharge of runoff from the road could have a localised impact on the vegetation, especially if this run off is high in salt from gritting operations and from other road pollutants.

Scottish Badgers provided data information relating to badgers and confirmed that all records indicate that any setts are south of the River Spey of which the proposed Scheme would have no impact upon. Transerv were also consulted and provided details about roadkill, salmonid, red squirrels, Ospreys and ants.

With regards to geology, SNH confirmed agreement of our approach to proposed ground investigations but suggested that their comments are on designated sites and European Protected Species only. We subsequently contacted both CNPA and 'BEAR Scotland' with details relating to the provision of a suitably qualified Ecological Clerk of Works (ECoW) to work alongside a suitably qualified competent ground investigation contractor.

With regards to Landscape and Visual effects, CNPA identified that in general, the proposed extension of the road on only the south east side would limit the impact of the proposed Scheme, but will create a 'one sided effect' upon the landscape that would take several years to heal. Additionally the CNPA proposed a re-alignment of the road widening so that the proposed excavation (located nearby the village of Kinraig) is undertaken on the opposite side of the road. This was suggested in order to limit the proposed scheme's impact on the village, in particular the new housing on the northern side of the village. Comments were also made with regard to the woodland mixes or proposed replacement planting. Comments from CNPA were received regarding landscape mitigation plans.

THC provided feedback relating to noise and vibration and guidance in the form of THC's 'Suggested General Noise and Vibration Level During Operations on Trunk Roads'. THC subsequently confirmed our approach to use BS5228 Example Method 1 The ABC Method to determine the significance of the noise from the construction phase would be acceptable.

Consultation with the CNPA identified the need for a non motorised user route adjacent parallel to the proposed Scheme in order to facilitate active travel in the corridor and connect communities such as Kingussie, Kinraig and Aviemore through active travel.

The Highland Council also identified that there are no easy means of active travel access between Leault Farm sheepdog demonstrations and the B9152 as a result of the proposed Scheme and that disrupting the farm's established linkage to the Kinraig community would not accord with HSP Policy G2.

The Spey Fishery Board requested the following design details be incorporated into the proposed Scheme:

- Appropriate fish passage provision at all watercrossings
- Invasive/ Biosecurity procedures to help maintain the high quality status of the local area
- The installation of SuDS in the initial construction stage to control dirty water run-off
- A full drainage plan to minimise the volume of potentially dirty site run-off

The Scottish Environment Protection Agency (SEPA) provided detailed feedback regarding a range of hydrological issues including advice on the form and content of a Flood Risk Assessment. The following sets out what SEPA would expect to be covered in the submission:

- preferred engineering activities in terms of watercourse crossings;
- preference of two levels of sustainable drainage systems (SUDS);
- existing groundwater abstractions;
- contaminated land ground investigations;
- dewatering;
- Phase 1 Habitat Survey to identify any potential disruption to wetlands (including peatlands);
- Disturbance and re-use of excavated peat or soils; and

Recommend consultation with Environmental Health in relation to air quality management.

Over the course of the Stage 3 Assessment, the project team and Transport for Scotland have organised a range of meetings ensuring that both planning departments and consultees are involved in the development of the proposed Scheme.

A meeting was held with the CNPA planning department and Scottish National Heritage (SNH) on 17th January 2013. Atkins were represented by Mr Rory Gunn and Mr Stephen Bacon, with the applicant (Transport Scotland) represented by Jo Blewett. The consultation provided an overview of the proposed Scheme and outlined the level of detail to be included within the Environmental Impact Assessment (EIA). During these discussions, a number of agreements and suggestions were made with regards to the content of the EIA and the proposed Scheme itself. These included:

- Environmental specialists were to commence direct consultation with CNPA and SNH;
- All consultation requests were to be sent to Bob Grant (CNPA) and Denise Reed (SNH) who distribute internally and co-ordinate responses.
- CNPA requested that the proposed Scheme needs to reflect an agreed route-wide approach (including a set of principles) in order to prevent the creation of any incorrect precedents within the area of development.
- CNPA reiterated that in accordance with Local Plan policy, they will be seeking 'enhancement' as well as 'compensation' within the mitigation proposals.
- CNPA requested that any consultation with Historic Scotland (HS) should include specific reference to a possible battlefield site at Dunachton Burn.
- SNH confirmed the designations present in the local area, as well as the European Protected Species.
- That the Environmental Statement (ES) would acknowledge, but not include the wind farm proposal (Allt Duine Wind Farm PLI) within the assessment.
- Species Protection Plans to be developed as part of the Environmental Statement.
- Mitigation to include that all culverts will facilitate the passage of fish and mammals.

Formal consultation responses are also set out in Appendix 1 of this Statement, including a schedule identifying the mitigation measures that were incorporated into the proposed Scheme to address any specific concerns, where appropriate.

2. Summary of responses from Statutory Consultees to Draft Environmental Statement

As identified within Volume 1 of the Environmental Statement, the draft ES was issued to the relevant statutory consultees (Cairngorms National Park, SNH, Historic Scotland, SEPA and The Highland Council) for comment. The intention for this was to take on board any outputs from this review, and where appropriate, make alterations to the design for the betterment of the proposed Scheme. A summary of the responses received are outlined below, however it is worth highlighting that no comments were received from The Highland Council by the time of the publication of this ES.

2.1. Response from Scottish Natural Heritage (SNH)

SNH responded to the draft ES on 20 June 2013. In summary SNH raised a number of issues and provided guidance on how these should be resolved. The main issues and guidance are summarised below:

- A requirement to provide a Habitats Regulations Appraisal (HRA) within the draft ES. This request included guidance on the qualifying interests that should be taken through the HRA process, with an appropriate Appendix also provided with further information;
- The provision of clearer survey methodology relating to European Protected Species, including a request that (as a minimum) pre-construction surveys for wildcat, otters and bats;
- The provision of full details of the Freshwater pearl mussel surveys that were carried out and referenced within the draft ES;
- SNH were pleased that the recommendations on the area for compensatory planting of riparian woodland had been accepted and would welcome further discussions on the exact boundary of the area for the proposed planting; and,
- A reminder of guidance provided in relation to deer mitigation that should be implemented within the draft ES and scheme design;

2.2. Response from Historic Scotland (HS)

A response was received from Historic Scotland on the 17 June 2013. Within this response, HS made it clear that due to other statutory deadlines the response received was not following a detailed assessment, however the main points that were deemed of most relevance were provided and are summarised below:

- Proposed that the reference made within table 5.6 to the SEA (at that time the Scoping Report) was cross referenced within section 5.3.2;
- Section 5.3.3 should be clarified in order to confirm whether the information referenced related to the proposed Scheme; and,
- Advice and guidance was provided in relation to Table 5,1 of the draft ES including the use of appropriate terminology for listed buildings in Scotland, and a request that the assumptions and terminology used within the table was revised to improve the clarity of the assessment.

2.3. Response from SEPA

SEPA issued a response to the draft ES on 11 June 2013. This response identified some key area areas which SEPA indicated required further work prior to the finalisation of the ES and submission in support of the Roads Order. It was also indicated that SEPA advised that a meeting or teleconference should be arranged once the comments were reviewed and considered. A summary of the response received from SEPA is summarised below:

- SEPA welcomed the Schedule of Commitments in Section 18 of the draft ES and requested that for the avoidance of doubt, clarification was provided in terms of where these commitments would sit with the Roads Order;
- The references to the requirement of a Construction Environmental Management Plan were welcomed with further mitigation proposed for inclusion within this;
- Provided guidance and raised concerns with the proposed re-use of greenfield soils, including reference to The Landfill (Scotland) Regulations 2003, The Waste Management Licensing (Scotland) Regulations 2011 (WML) and SEPA guidance on the production of fully recovered asphalt road planings;
- Guidance was provided in relation to the re-use of felled trees with a number of issues raised on behalf of SEPA and guidance on how to alleviate these provided;
- Guidance and advice in relation to existing groundwater abstractions and the information required to identify these;
- Advice and requirements to provide full details and an assessment of the dewatering of cuttings;
- Advice and guidance on potential impacts on disruption to wetlands, including what should be considered within the final ES;
- Welcomed the proposed two levels of treatment for surface water drainage (SUDS) and advised on revised guidance namely The Water Environment (Controlled Activities) (Scotland) Regulations 2011;
- Highlighted that comments provided in previous consultation needed to be addressed in the finalised ES and offered guidance on possible consultees to liaise with;
- Advised that the proposed Flood Risk Assessment (FRA) was submitted to SEPA in advance of the finalised ES, and that if the FRA identified a significant increase in flood risk, SEPA may object to the Road Order; and
- Finally guidance was provided in relation to the location of temporary works, contaminated land and air quality.

2.4. Response from Cairngorms National Park Authority (CNPA)

The CNPA responded to the draft ES on 29 June 2013. Within this response the CNPA made clear that the CNPA would advise on wider biodiversity matters not covered by SNH and landscape, cultural heritage and access matters within the National Park. A summary of the response from the CNPA is provided below:

- The CNPA provided advice and raised a number of issues regarding the landscape section produced within the draft ES, including a request that the landscape principles were modified to "*better address landscape requirements*";
- Additionally the CNPA questioned the assessment viewpoint that the impacts of the proposed Scheme would be neutral as it follows the existing route corridor;
- A suggestion that whilst the draft ES covers the main biodiversity issues well, a stronger assessment of the use of existing crossing structures is provided within the final ES, in addition to further compensatory habitat works being carried out; and,
- Identified the lack of provision of a safe cycling route within the construction corridor.

3.

Early Consultation**3.1. General**

To:	Gunn, Rory		
From:	Baldwin, Cerian	Email:	Correspondence between Atkins and SEPA
Phone:	NA	Date:	6 March 2013
Ref:	NA	cc:	
Subject:	Carriageway widening A9 Kincaig to Dalraddy		

Please see Appendix 1

3.2. Air Quality

To:	Lee, John; Environmental Health		
From:	Spencer, Jenny	Email:	Correspondence between Atkins and Highland Council
Phone:	NA	Date:	17 October 2012 16:45
Ref:	NA	cc:	
Subject:	Carriageway widening A9 Kincaig to Dalraddy - Air Quality Assessment		

Dear Mr Lee,

I am preparing the air quality assessment for the Environmental Statement in support of the planning application for the proposed carriageway widening of the A9 between Kincaig and Dalraddy.

I have downloaded the Highland LAQM reports for 2009 and 2010 from your website. Are any more recent reports available, (2011 Progress report and / or 2012 USA)?

I would welcome your comments on our proposed approach to the air quality assessment.

Given the location of the scheme, and the proximity and number of receptors, we propose to identify constraints and assess potential effects of the scheme in accordance with the Highways Agency Design Manual for Roads and Bridges, Volume 11, Section 3, Part 1 (HA 207/07). Should the scheme meet the DMRB assessment criteria we will:

- identify constraints and produce of a constraints map. Sensitive receptors including residential properties, schools, hospitals and designated ecological sites will be identified. An initial review of constraints indicates that there are a number of designated ecological sites (River Spey SSSI, River Spey - Insh Marshes SPA and River Spey - Insh Marshes Ramsar and Alvie SSSI) with boundaries adjacent to the A9 and a small number of residential properties. There are no Air Quality Management Areas in the vicinity of the scheme.

- undertake illustrative calculations at selected sensitive receptors using the DMRB air quality screening tool to estimate the effects on local air quality due to changes in road traffic. The DMRB Air Quality Screening Model has not yet been updated to yet incorporate latest DfT/ Defra vehicle emission factors, however given the nature and location of the proposed scheme the use of this tool is considered adequate for quantification of the effects of the scheme. A sensitivity test based on the Defra 'Note on Projecting NO₂ Concentrations' will be undertaken if a downward trend in nitrogen dioxide (NO₂) monitoring data is not observed.
- If designated ecological sites are within 200 metres of affected roads changes in concentrations of oxides of nitrogen and nitrogen deposition would be calculated.
- undertake calculations of emission changes using the DMRB air quality screening tool to estimate the effects on regional emissions changes in road traffic.
- undertake a qualitative assessment of construction effects based on the number of properties with 200 metres of the areas of construction.

I hope this approach is acceptable to you. Should you wish to discuss this methodology, I am next in the office on Tuesday 23rd October 2012.

I look forward to hearing from you.

Yours sincerely

Jenny Spencer

Senior Environmental Scientist, Air Quality & Greenhouse Gas Management

ATKINS

Woodcote Grove, Ashley Road, Epsom, Surrey, KT18 5BW | Tel: +44 (0) 1372 756884 | Fax: +44 (0) 1372 756888
 E-mail: jenny.spencer@atkinsglobal.com | Web: www.atkinsglobal.com/environment

To:	Environmental Health Department, Highland Council		
From:	Spencer, Jenny	Email:	
Phone:	Telecon between Atkins and Highland Council	Date:	24 October 2012
Ref:	NA	cc:	
Subject:	Carriageway widening A9 Kincaig to Dalraddy - Air Quality Assessment		

Confirmation was received from the Environmental Health Department that the proposed assessment methodology and proposed receptor locations were acceptable.

To: Thornton, Nick
From: Spencer, Jenny **Email:** Correspondence between Atkins and Highland Council
Phone: NA **Date:** 06 November 2012 11:07
Ref: NA **cc:**
Subject: Highland LAQM Reports

Dear Mr Thornton,

I am preparing the air quality assessment for the Environmental Statement in support of the planning application for the proposed carriageway widening of the A9 between Kinraig and Dalraddy.

I have downloaded the Highland LAQM reports for 2009 and 2010 from your website. I would be grateful if you could send copies of your 2011 Progress Report and 2012 USA by return email, so I may reference the most current LAQM data in my report.

Many thanks for your assistance.

Yours sincerely

Jenny Spencer

Senior Environmental Scientist, Air Quality & Greenhouse Gas Management

ATKINS

Woodcote Grove, Ashley Road, Epsom, Surrey, KT18 5BW | Tel: +44 (0) 1372 756884 | Fax: +44 (0) 1372 756888
E-mail: jenny.spencer@atkinsglobal.com | Web: www.atkinsglobal.com/environment

To: Spencer, Jenny
From: Thornton, Nick **Email:** Correspondence between Atkins and Highland Council
Phone: NA **Date:** 06 November 2012 13:10
Ref: NA **cc:**
Subject: Highland LAQM Reports

Hi Jenny

Attached the 2011 progress report. 2012 USA not complete yet.

Regards

Nick

To: Reed, Denise, Scoggins, Sue

From: Latimer, William **Email:** Correspondence between Atkins and CNPA

Phone: NA **Date:** 05 February 2013 15:49

Ref: NA **cc:**

Subject: Air Quality

Denise, Sue,

Further to my first message below, can I quickly run past you the air quality issues we are to consider. Atkins is going to model the air quality at sensitive receptors on the Inch Marshes SAC with respect to deciduous (alder) woodland and lowland fens (valley mires, poor fens, transition mires) for design year 15 based on projected traffic figures (not a large change apparently). Are you aware of any other sensitive habitats cited on the APIS website that we should be looking at in respect of an appropriate assessment screening?

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
boyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecol.co.uk

To: Spencer, Jenny
From: Latimer, William **Email:** Correspondence between Atkins and CNPA
Phone: NA **Date:** 26 February 2013 14:59
Ref: NA **cc:**
Subject: Air Quality

Jenny,

My apologies, I thought I had forwarded this to you. The response indicates that we should make a list of the qualifying habitats that comprised potential receptors and then cross reference these to the APIS habitats which is what we have already done. Note in the message attached that SNH consider that this issue might be screened out of the assessment but I am happy that you have considered this.

Looking forward to seeing your report.

Kind regards,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
boyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northeacol.co.uk

To: Thornton, Nick
From: Spencer, Jenny **Email:** Correspondence between Atkins and Highland Council
Phone: NA **Date:** 07 May 2013
Ref: NA **cc:**
Subject: Highland LAQM Reports

Hi Nick,

Further to previous correspondence I was wondering if the 2012 USA was available yet?

Also, while I understand that for some aspects of planning policy, the proposed scheme (A9 Kincaig to Dalraddy) lies within the remit of the Cairngorms National Park Authority, am I correct in understanding that for the purposes of LAQM reporting, this remains the responsibility of the Highland Council?

Many thanks for your assistance.

Jenny

Jenny Spencer

Senior Environmental Scientist, Air Quality & Greenhouse Gas Management

Office Days : Tuesday & Wednesday

ATKINS

75 years of design, engineering and project management excellence

Woodcote Grove, Ashley Road, Epsom, Surrey, KT18 5BW | Tel: +44 (0) 1372 756884 | Fax: +44 (0) 1372 756888

E-mail: jenny.spencer@atkinsglobal.com | Web: www.atkinsglobal.com/environment

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Spencer, Jenny
From: Thornton, Nick **Email:** Correspondence between Atkins and Highland Council
Phone: NA **Date:** 08 May 2013
Ref: NA **cc:**
Subject: Highland LAQM Reports

Hi Jenny

Please find attached.

You are correct. The reporting requirements for LAQM remain the responsibility of the Highland Council.

Best regards

Nick

3.3. Cultural Heritage

To: Archaeology Department, Highland Council
From: Smith, Julia **Email:** Correspondence between Atkins and Highland Council
Phone: NA **Date:** 06 March 2013 12:34
Ref: NA **cc:**
Subject: A9 - Kincaig to Dalraddy

Dear Sir / madam,

I am currently working on the production of an Environmental Statement for a section of carriageway widening of the A9 from Kincaig to Dalraddy. Transport Scotland are promoting the scheme and have outlined outline concept designs, with Atkins providing more detailed design and environmental assessment services.

The section of the scheme we are assessing involves carriageway widening to provide dual carriageway from what is currently an existing single carriageway. This section of the scheme is 7.1km in length with the initial 1.8km of the scheme being widening on the land to the west and the rest of the c. 5km will be widened to the east.

We have undertaken a search of the Highland HER and sought information from Historic Scotland (HS) on designated sites. We have also reviewed information on the Battle of Dunachton as advised by Historic Scotland since its postulated location be in the vicinity.

Much of the works will be contained to within the existing highways carriageway and therefore we have assumed that through the process of constructing and maintaining the A9 road, well preserved archaeological remains are unlikely to have survived. However, there are also areas of new land take outside the existing carriageway in relatively undisturbed land.

From reviewing the HER and HS information, it appears as though very few known sites will be directly affected. These include a short stretch of General Wade's military road (MHG 30073), a drystone wall at Leault Burn (MHG 45749), a former quarry (MHG4439) and some sites of former farmsteads or agricultural buildings which are shown on the 1st Ed OS map but are no longer extant. We are proposing to minimise land take wherever possible in sensitive locations where there are known sites.

Having had a meeting with HS last week, they seemed broadly happy with this approach.

In the wider study area there appears to be some evidence for flint scatters and prehistoric ring cairns. In addition, HS have provided information and an article on the Battle of Dunachton where it is postulated that the location of the battle could be in the vicinity of the A9 (though it could also be Forfar area, from reviewing the documentation however the locational information is generally poor). We are therefore proposing that an archaeological watching brief is undertaken during topsoil stripping and initial ground breaking works in any areas outside of the highways carriageway as part of the mitigation proposals. We would require a Written Scheme of Investigation to be produced before any fieldwork would be undertaken that took into account the nature of possible archaeology in the scheme footprint (including possible remains associated with the Battle) and this WSI and works would be agreed with yourselves in advance. Depending on the nature of geotechnical works in advance, we may also request a watching brief on these works in addition, but I am awaiting details of the nature of these since monitoring of works such as boreholes may not be particularly useful in understanding the nature of potential archaeological remains in the area. Again, we have consulted with HS about the suitability of this fieldwork.

The ES and full details of the proposals will be submitted to you in course, but I would appreciate your opinions on this and the proposals for fieldwork. If you require any further information in the mean time, please do not hesitate to contact me.

Thanks in advance,

Julia Smith

Senior Heritage Consultant, Environmental Planning

ATKINS

75 years of design, engineering and project management excellence

Trent House, RTC Business Park, London Road, Derby DE24 8UP | Tel: +44 (0)7834 505 755

Email: julia.smith@atkinsglobal.com | Web: www.atkinsglobal.com

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/atsatkinsplc

To: Smith, Julia
From: Cameron, Kirsty **Email:** Correspondence between Atkins and Highland Council
Phone: NA **Date:** 11 April 2013 11:11
Ref: NA **cc:**
Subject: A9 - Kinraig to Dalraddy

A9 - Kinraig to Dalraddy

Many thanks for your email and follow-up call – and apologies for the tardy response.

I can confirm that the approach outlined below seems both proportionate and acceptable. I will look forward to receiving the ES in due course.

Regards

Kirsty

To: Meeting with Historic Scotland
From: Jacobs/ Transport Scotland/ Atkins **Email:** NA
Phone: NA **Date:** 11 April 2013 11:11
Ref: B1557602 **cc:**
Subject: Transport Scotland A9 Dualling Kinraig-Dalraddy: consultation

Please find details of Minutes attached as Appendix 2

To: Shaw, Adele
From: Gunn, Rory **Email:** Correspondence between Atkins and Historic Scotland
Phone: NA **Date:** 18 April 2013
Ref: NA **cc:**
Subject: A9 Dualling Kincaig-Dalraddy: Follow up to meeting

Adele,

Project: A9 Dualling Kincaig to Dalraddy
Subject: Archaeological Fieldwork

I trust you are well.

I'm just following up on various consultations and I refer to the notes of our meeting held on 27th February 2013, as issued by Alan Gillies of Jacobs on 19th March 2013.

Within item 2.1, we discussed the aspect of fieldwork. Are you able to advise further on Historic Scotland's expectations for fieldwork for the scheme this at this stage?

As noted at the meeting we will also follow up this aspect with the Local Authority.

I look forward to your response.

Yours faithfully,

For and on behalf of Atkins Ltd

Rory Gunn
Group Engineer, Highways & Transportation

ATKINS
75 years of design, engineering and project management excellence

Canning Exchange, 10 Canning Street, Edinburgh, EH3 8EG
Tel: +44 131 221 5763 | Fax: +44 131 221 5751 | Mobile: +44 7803 258707

Email: rory.gunn@atkinsglobal.com | Web: www.atkinsglobal.com
Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Gunn, Rory
From: Shaw, Adele **Email:** Correspondence between Atkins and Historic Scotland
Phone: NA **Date:** 30 April 2013
Ref: NA **cc:**
Subject: A9 Dualling Kincaig-Dalraddy: Follow up to meeting

Rory

Thank you for your e-mail and apologies for the delay in replying to you.

In terms of our expectations of archaeological fieldwork, I am unable to advise further at this stage. It would be helpful if you could provide an initial assessment of the nature of the resource in this particular project area and the likely impact of the proposed scheme. It would be beneficial if you took some advice from your own archaeological advisors on this matter in the first instance. We would be happy to provide comments following provision of this information.

Kind regards

Adele

Adele Shaw | Heritage Management Team Leader (Environmental Impact Assessment)

To: Shaw, Adele
From: Bacon, Stephen **Email:** Correspondence between Atkins and Historic Scotland
Phone: NA **Date:** 07 May 2013
Ref: NA **cc:**
Subject: A9 Dualling Kincaig-Dalraddy: Follow up to meeting

Subject: A9 Dualling Kincaig-Dalraddy: Follow up to meeting

Adele

I am coordinating the EIA for this scheme and Rory has asked me to respond to your email of 30 April 2013.

The section of the scheme we are assessing involves carriageway widening to provide dual carriageway from what is currently an existing single carriageway. This section of the scheme is 7.5km in length with the initial 2km of the scheme being widening on the land to the west and the rest of the 5.5km will be widened to the east.

Our Heritage specialists have undertaken a search of the Highland HER and sought information from yourselves on designated sites. They have also reviewed information on the Battle of Dunachton as advised by SNH since its postulated location is in the vicinity.

Much of the works will be contained to within the existing highways carriageway and therefore we have assumed that through the process of constructing and maintaining the A9 road, well preserved archaeological remains are unlikely to have survived. However, there are also areas of new land take outside the existing carriageway in relatively undisturbed land.

From reviewing the HER and HS information, it appears as though very few known sites will be directly affected. These include a short stretch of General Wade's military road (MHG 30073), a drystone wall at Leault Burn (MHG 45749), a former quarry (MHG4439) and some sites of former farmsteads or agricultural buildings which are shown on the 1st Ed OS map but are no longer extant. We are proposing to minimise land take wherever possible in sensitive locations where there are known sites.

In the wider study area there appears to be some evidence for flint scatters and prehistoric ring cairns. In addition, HS have provided information and an article on the Battle of Dunachton where it is postulated that the location of the battle could be in the vicinity of the A9 (though it could also be Forfar area, from reviewing the documentation however the locational information is generally poor). We are therefore proposing that an archaeological watching brief is undertaken during topsoil stripping and initial ground breaking works in any areas outside of the highways carriageway as part of the mitigation proposals. We would require a Written Scheme of Investigation to be produced before any fieldwork would be undertaken that took into account the nature of possible archaeology in the scheme footprint (including possible remains associated with the Battle) and this WSI and works would be agreed with Highland Council's Historic Environment Team and/or yourselves in advance. Depending on the nature of geotechnical works in advance, we may also request a watching brief on these works in addition, but we are awaiting details of the nature of these since monitoring of works such as boreholes may not be particularly useful in understanding the nature of potential archaeological remains in the area.

We have consulted with Kirsty Cameron, Archaeologist in the Historic Environment Team at Highland Council, on the above approach and she has confirmed that this is both proportionate and acceptable.

The ES and full details of the proposals will be submitted to you in course, but in the meantime I would appreciate your opinions on this and the proposals for fieldwork.

Regards

Stephen

Stephen Bacon

Principal Landscape Architect, Water & Environment

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, G1 4RU | Tel: +44 141 220 2297 | Mobile: +44 781 223 7731

Email: stephen.bacon@atkinglobal.com | Web: www.atkinglobal.com |

Twitter: www.twitter.com/atkinglobal | Facebook: www.facebook.com/atkinglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

3.4. Ecology

To:	Coghill, Sinclair		
From:	Bacon, Stephen	Email:	Correspondence between Akins and SNH, Wildlife Operations Unit
Phone:	NA	Date:	10 May 2013 20:41
Ref:	NA	cc:	
Subject:	A9 Dualling: Kincaig-Dalraddy Deer mitigation		

Sinclair

Further to your recent discussions with Angus Corby, we felt it would be useful to provide a brief update regarding this particular scheme and deer-related aspects. I am coordinating the EIA for this section, with the Ecology chapter for the ES being prepared by William Latimer of Northern Ecological Services. Survey works were largely undertaken last year, and we are currently finalising the ES prior to planned publication in July.

This particular portion of proposed dual carriageway is over a 7.45 kilometre section of the route between Kincaig to Dalraddy, located approximately 12 kilometres south west of Aviemore near the village of Kincaig between Ordnance Survey Grid references 281194E, 803739N and 285574E, 809424N. The proposed Scheme can be divided in to three discrete sections: the southernmost section being widening to the west of the existing A9 to form the new northbound carriageway; a short section where changeover takes place; and for the northern most part of the scheme widening to the east of the existing A9 to form the new southbound carriageway. Following dualling, all at-grade crossing points in the road will be closed. The following key existing structures will be replaced with upgraded structures at the following locations:

- Dunachton Underpass/Watercourse (Chainage 1660 metres)
- Leault Burn Watercourse (Chainage 3090 metres)
- Baldow Smiddy Underpass/Watercourse (Chainage 3540 metres)
- Lower Milehead Underpass (Chainage 4460 metres)
- Allt an Fhearna Underpass/Watercourse (Chainage 7050 metres)

The assessment has identified that deer use of this particular area appears rather diffuse, albeit more concentrated in wooded areas, with a lack of any clear, well-used crossing points. Deer fencing is already present along the highway boundary to the woodland plantations in the central section of the scheme, and our assessment currently assumes this will be restored following widening to the areas currently fenced in this way. This fencing shall be used to channel deer movements towards safe crossing sections, namely the four underpass structures listed above. Vegetation will be kept back from the road edge, particularly in sections with adjacent woodland.

If you have any specific suggestions regarding further mitigation (including whether there are any minimum set-back distances for vegetation from the road edge), or queries regarding the EIA in general, please do not hesitate to let me know.

Best regards

Stephen

Stephen Bacon

Principal Landscape Architect, Water & Environment

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, G1 4RU | Tel: +44 141 220 2297 | Mobile: +44 781 223 7731

Email: stephen.bacon@atkinglobal.com | Web: www.atkinglobal.com |

Twitter: www.twitter.com/atkinglobal | Facebook: www.facebook.com/atkinglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Bacon, Stephen

From: Coghill, Sinclair **Email:** Correspondence between Akins and SNH, Wildlife Operations Unit

Phone: NA **Date:** 16 May 2013 15:00

Ref: NA **cc:**

Subject: A9 Dualling: Kincaig-Dalraddy Deer mitigation

Stephen

Thank you for your email regarding this section of the A9 dualling and for the opportunity to comment.

Given the amount of woodland along this stretch of road, I would suggest deer proof fencing the whole on both sides of the road and using this fencing to direct deer towards the underpasses.

I note there are two at grade entrances onto the carriageway; to reduce the likelihood of deer accessing the carriageway at these points I suggest that the deer proof roadside fence is run along these for approximately 50m , terminating at a deer grid.

This area is largely inhabited by roe deer which tend to aggregate towards woodland use but are likely to come onto open areas at dawn and dusk to feed. Roe deer tend not to form large groups, tending instead to form individual territories and live within them. This may explain the rather diffuse use you have noted. Red deer have recently made greater use of the area, are not currently a welcome asset for local estates and residents in the vicinity of the road and numbers are therefore likely to be reasonably well controlled.

Agricultural and commercial forestry interests along this section of the road require relatively low deer densities, however it would not be wise to expect this will always be so, a change of owner could have very different objectives with very different deer numbers and potential for Deer Vehicle Collisions (DVCs).

I do not have a specific distance from the carriageway for woodland planting but the more open the carriageway and environs is the better. In addition, the less palatable the remaining vegetation is the better.

If the road is fenced, the presence of woodland planting within the fences is less of an issue although, hopefully on the rare occasion, when a deer does find it's way into this corridor, it's removal will be best achieved in open surroundings.

The proposed underpasses, appropriately designed, should provide adequate crossing opportunities for deer. COST 341 as you will be aware provides helpful suggestions for sizes, design and management of underpasses and their surrounds. It may also be helpful to make use of Deer Vehicle Collision consultants to help inform detailed design.

I have also had representation suggesting that a 2m pipe under the carraigway at low points between the proposed underpasses could also help mitigate risks as well as providing opportunities for moving people and livestock.

Please let me know if you need further information or wish to discuss any of the above.

kind regards

Sinclair

Sinclair Coghill
Wildlife Operations Unit
Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

DD 01463 725333
Mob 07500 604622

<http://www.snh.gov.uk/land-and-sea/managing-wildlife/>

To:	Mohammed, Iram		
From:	Mitchell, Karen	Email:	Correspondence regarding the provision of deer fencing
Phone:	NA	Date:	03 October 2013
Ref:	NA	cc:	Various
Subject:	A9 Kincaig to Dalraddy Ecology		

Hi Iram

I've had only a small amount of time to look at this revised Chapter this week so can't make very detailed comments I'm afraid. However, I can say the following:

- **HRA:** I'm pleased there is now an HRA which was a major omission from the first draft. I've had a quick look at the conclusions and whilst a lot of the Natura terminology used is confused with EIA assessment matrix terminology (and this should be changed for the final version), the general assumptions/conclusions don't seem to be too far off the mark. I caveat that though, with the fact that I haven't had time to check the findings with any of our specialists and that we haven't seen a copy of the amended route design following the inclusion of a cycle path, so my opinion could change at the Road Order consultation stage. I've also attached a note about lighting impacts for inclusion in the final version of the HRA. Lighting issues have become apparent through our discussions over the strategic HRA and this issue needs to be considered in the project level HRAs too. The note should help explain this.
- **EPS (otters, bats, wildcat) and mitigation.** It would still be extremely helpful if the survey results (otter signs, bat roosts from the 2007 survey and potential tree roosts from the 2013 survey) were presented in annotated map form as requested in our advice letter of 20 June. Also, if the mitigation proposals outlined in Table 7.7 Mitigation for severance of animal pathways were also presented in annotated map form as requested this would be helpful to allow us get an overview of what you are proposing. (Some of this was done as part of an early version of maps showing landscape mitigation proposals). I haven't had time to cross-check the wildcat mitigation proposals with the detailed advice in our letter to see if you have taken on board our advice and will likely need to consult our wildcat specialist when the Road Order consultation comes through given the importance of wildcat in Badenoch and Strathspey, which the Kincaig to Dalraddy section passes through.
- **Freshwater pearl mussel survey** – Although further information on the survey methodology has been included, again, although you had negative results, could you map where the fwpm survey sites were from the raw survey data?

- **Deer** – Not all of the deer advice we gave has been taken on board though I see you have said you will deer fence the wooded sections as a minimum and come back to discuss other fencing requirements with us, the CNPA and other stakeholders. It would be good to get that dialogue going as soon as possible.

Best wishes

Karen

Karen Mitchell
Operations Officer, Tayside & Grampian
Scottish Natural Heritage
Battleby
Redgorton
PERTH
PH1 3EW
Direct Dial 01738 458501

Working pattern: Monday (12:30 to 17:30) Kinross office,
Tel: 01577 864439 Tuesdays, Wednesdays, Thursdays (8-5pm) Battleby, Direct dial 01738 458501

To: Mitchell, Karen

From: Mohammed, Iram **Email:** Correspondence regarding the provision of deer fencing

Phone: NA **Date:** 03 October 2013

Ref: NA **cc:** Various

Subject: A9 Kincaig to Dalraddy Ecology

Hi Karen

Thank you very much for your comments at such short notice.

For avoidance of doubt, please could you clarify which parts of the deer advice we have not taken on board?

Many thanks,

Iram

Iram Mohammed BSc (Hons) MRTPI
Senior Planning Consultant
Water & Environment

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, Scotland, G1 4RU
Direct Line: +44 (0) 141 220 2291

Tel: +44 (0) 141 220 2000
Fax: +44 (0) 141 220 2001
Mobile: +44 (0)7812589212

Email: Iram.Mohammed@atkinglobal.com | Website: www.atkinglobal.com
Twitter: <http://www.twitter.com/atkinglobal> | Facebook: www.facebook.com/atkinglobal
LinkedIn: <http://www.linkedin.com/company/atkins> | YouTube: <http://www.youtube.com/wsatkinsplc>

To: Mohammed, Iram

From: Mitchell, Karen **Email:** Correspondence between Ecologist and Scottish Badgers

Phone: NA **Date:** 07 October 2013

Ref: NA **cc:**

Subject: RE A9 Kincraig-Dalraddy: Mitigation Plan Comments

Hi Iram

Yes, of course. Its where we advised in our letter of 20 June:

'We recommend that both sides of the extent of this scheme are deer fenced. We note there are two at grade junctions onto the carriageway and we advise that to reduce the likelihood of deer accessing the carriageway along these points deer fencing is run along these access roads for approximately 50m, terminating at a deer grid.'

In the revised ES I could only see a commitment to fence the wooded sections and the Alvie access as below:

'Highway fencing provides both a barrier to animal dispersal but at the same time protects many species from road traffic accidents. Deer fencing will be installed as a minimum requirement along wooded sections of the Scheme with "fold-backs" at the new access road to Alvie Lodge to meet a deer grid across the access track. The need for additional deer fencing along the remainder of the Scheme will be discussed with Scottish Natural Heritage, the Cairngorms National Park Authority and other stakeholders.'

I forewarned our deer officer, Sinclair Coghill, (based in our Inverness office) who provided the advice, that you are planning to discuss any further fencing requirements in due course.

Karen

To: Hutchison, Ian
From: Latimer, William **Email:** Correspondence between Ecologist and Scottish Badgers
Phone: NA **Date:** 15 February 2013 12:25
Ref: NA **cc:**
Subject: RE A9 Kinraig-Dalraddy: Mitigation Plan Comments

Ian,

We are working with Atkins on the design and Environmental Statement for the proposed dualling of the A9 past Kinraig, and the client, Transport Scotland, has now given us permission to consult more widely. I would be very grateful for your input in relation to badgers along this section of the alignment and have attached an OS plan to show the section to be dualled (between the red arrows). Let me know if you need the more detailed design plans, 10 maps in all.

The proposals, in brief, are for dualling with widening to the west, south of Kinraig, widening to the east north of Kinraig and stopping up of the at-grade junctions. Existing underpasses will be retained and improved with terrestrial strips or mammal ledges provided where watercourse crossings are re-constructed. The feasibility of retro-fitting ledges, or providing parallel dry culverts, at the crossing points of the smaller watercourses will also be examined.

Over the period from August to October last summer we conducted our own fieldwork to complete the Phase 1 habitat survey, river habitat survey and protected mammals survey work. The protected mammal surveys, done both as part of the Phase 1 habitat survey, and during the river habitat survey, recorded surprisingly little activity, with no evidence found for badgers in the area under survey (basically around 50 metres each side of the highway boundary, but 500 metres up and down the watercourses and also more widely in areas of potential accommodation works where at-grade junctions are to be closed). Much of the alignment seems fairly impermeable to badgers with intact deer fencing in forestry areas and highway fencing with rabbit mesh along much of the rest of the alignment.

I have been in contact with Greg Fullarton of Transerve and obtained road-kill data from him and it seems a couple of badgers were killed south of Kinraig in the area of Dunachton Lodge back in 2009. This area certainly looks good for badgers.

Do you have any further information on badger distribution in the project area? As noted above, the need to secure safe crossing points for wildlife is recognised, as is the need for secure fencing along the alignment, so any advice you may have here would be most welcome.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecol.co.uk

To: Latimer, William
From: Huchison, Ian **Email:** Correspondence between Ecologist and Scottish Badgers
Phone: NA **Date:** 15 February 2013 13:00
Ref: NA **cc:**
Subject: RE A9 Kincaig-Dalraddy:

Hi William

There are certainly lots of badgers around that area but a quick check of my records indicates that there were only two road kills in the proposed scheme. Both occurred in grid square NH 83 06 and occurred in 2006 and 2009 so certainly not a hot spot for roads kills. There are lots of sett records within a kilometre of the road line but more than 50 metres away from the existing road line.

I could do a full data search for records within 1 kilometre of the road line but there would be a £75 admin fee to pay. Give me a shout if you want me to do this.

Ian

To: Hutchison, Ian
From: Latimer, William **Email:** Correspondence between Ecologist and Scottish Badgers
Phone: NA **Date:** 15 February 2013 13:19
Ref: NA **cc:**
Subject: RE A9 Kincaig-Dalraddy:

Many thanks Ian,

Yes, I think this would be useful, so go ahead with the data search and let us have your invoice.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecol.co.uk

To: Latimer, William
From: Huchison, Ian **Email:** Correspondence between Ecologist and Scottish Badgers
Phone: NA **Date:** Unknown
Ref: NA **cc:**
Subject: RE A9 Kincaig-Dalraddy:

Dear William

Now that I have had a chance to look closer at the records I mentioned I see they are all south of the river and would have no impact on your scheme. I think it would probably be a waste of money to do a full search as it appears to only show these setts. However the two RTAs were recorded at: -

NH 83 06	A9	Northbound near Baldow	15/04/06
NH 834 066	A9	Alvie school	27/08/09

I looked at the following squares all prefixed NH: -

		8307	8407
	8206	8306	8406
8105	8205	8305	8405
8104	8204		
8103			
8102			

Sorry to have misled you slightly that there may be sett records around the road in my last email.

Ian

To:	Fullarton, Greg		
From:	Latimer, William	Email:	Correspondence between Ecologist and TranServ
Phone:	NA	Date:	11 February 2013 10:48
Ref:	NA	cc:	Stephen Bacon
Subject:	RE A9 Kincaig-Dalraddy:		

Greg,

Many thanks, good to talk with you just now. I have attached an OS plan overview of the section past Kincaig with red arrows indicating the start and finish points for the work. The design drawings add up to a bit more space so let me know if you need those. A potted summary of the proposal is for dualling with widening to the west, south of Kincaig, widening to the east north of Kincaig and stopping up of the at-grade junctions. Existing underpasses will be retained and improved.

As discussed, we are after any assistance you may be able to give, particularly in reference to biological data on mammals, which have proved to be most elusive during our field work, and hence if you have any information from your camera trapping exercise, that would certainly be of interest, as would names of any specialists or organisations you may be aware of who record in the area. I will of course be consulting with CPNA over their data and contacts, though my main contact David Hetherington is off sick at the moment.

Data on road kills are also valuable, both as a record of presence, (albeit transitory) and as an indication of where additional protection or crossing facilities might be needed. The record you mentioned of a dead otter on the A9 is of particular concern.

You mentioned the wood ant translocation at Carrbridge, the results of which would be interesting. For the Kincaig dualling, it is expected that very few wood ants nests (*Formica lugubris*) will be affected, possibly only two, but should plans change, we would also be recommending nest translocations. For the present I am recommending management of the western verge (warmer and lighter with a south-east facing aspect), by scalloping and thinning back the young pines on the roadside embankment to increase the edge effect that this species of ant seems to rely on. To be effective over the long term, repeated clearance of seeding pine would probably be needed, probably every 10 - 15 years, so this would need to be built into the maintenance programme. Any views you have on that proposals would be welcome. On this subject, do you know if Transport Scotland (like the English HA) has a biodiversity action plan? I can find no reference to a current plan on the internet.

Looking forward to hearing from you and let me know if you need any additional information.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecon.co.uk

To: Latimer, William

From: Fullarton, Greg **Email:** Correspondence between Ecologist and TranServ

Phone: NA **Date:** 11 February 2013 12:32

Ref: NA **cc:** Stephen Bacon

Subject: RE A9 Kincaig-Dalraddy:

William,

Have attached map, roadkill raw data and survey data for all of A9 – you’ll need to pull out the data of interest with GIS probably. The otter road kills I have are just north and south of the scheme but you’ll note there is a lot of data around the 2 burns at Loch Inch. There is also a record of 2 dead badgers – this whole section of the A9 is very active, you’ll note a lot more records toward Aviemore and this probably grossly under report – Iain Hutchison at Scottish Badger will have better records. I’m surprised neither species were picked up, but it just shows you the value of multiple surveys! Otters especially are notorious for only using parts of their territory at certain times of the year – I’d imagine they’d be most active around Loch Inch in late winter/through spring/ maybe early summer when they will be hunting amphibians. For me the biggest risk from the A9 dualling is habitat fragmentation and we should be taking opportunities like this to link up habitats wherever possible and ensure proper passage under (or over) the road as mortality will only increase with the increased width of road and speed of traffic.

The other things that jumps out are:

- the potential for construction/ long term impact on salmonid spawning nursery area / freshwater pearl mussels on the Leault and Dunachton burns, given the proximity of the Spey – the Dunachton burn is of course part of the SAC. Duncan Ferguson at the Spey Fishery Board will give you an opinion on the fish interest if you have spoken already. No doubt SEPA / SNH have picked up also but there is potential for damage to connectivity from badly designed culverts as well as physical damage during construction – this may affect timing of works as well.
- Red squirrels – you’ll note there are mortalities just north of the scheme and I’d expect them to be present within the scheme also given the habitat.
- Ospreys – there are various nests along the A9 fairly close to the road – its worth speaking to Roy Dennis if you haven’t already as he knows where they all are!

As for the ants, I’ve attached the report from Carrbridge. Even though there are only a couple of nests affected, I’d recommend setting up exclusion areas ideally or translocating if the former is not possible. I’d imagine it would work well if you translocate into the thinned area, away from disturbance from the work. In term of effect on ants, even though nest might be out of working zone don’t forget to consider foraging areas – there are usually obvious trails you can follow cut through the vegetation. The thinning proposal sounds reasonable and as I mentioned, the Carrbridge ants thrived in the thinned forest. There is usually a 3 year maintenance period with the works contract so that covers the short term and I’m sure the longer term thinning can be taken care of easily enough. You might want to speak to Angus Corby at Transport Scotland to double check as it comes under his remit as landscape advisor. There was a trunk road biodiversity action plan which is now out of date I think – again Angus should be able to help you with that. He was talking about updating but not sure how far that got.

Let me know if you need any clarification etc. Hope this helps.

Regards

Greg

Greg Fullarton
 Environment Team
 ScotlandTranServ
 Tel: +44 01463 784338
 Mobile: +44 078855 28465
 Email: greg.fullarton@scotland.transerv.co.uk

To:	Reed, Denise	
From:	Latimer, William	Email: Correspondence between Ecologist and SNH
Phone:	NA	Date: 28 January 2013 15:47
Ref:	NA	cc:
Subject:	RE A9 Kincaig-Dalraddy:	

Denise

I understand the first round of consultation with Atkins and Transport for Scotland has now taken place, and I have your contact details from Atkins, to whom we are working.

We have the details of the protected sites and relevant citations from the SNH Sitelink web-site, but if you are aware of any additional information relating to these sites that would not be apparent from the web-site, I would be grateful if you could point these out and we would welcome your views and concerns in relation to the proposals.

In particular, I am interested in any locational information for the bird interests of the Inch Marshes SPA, particularly where the site lies close to the A9 southerly alignment proposed for dualling (basically the section south from Dunachton Lodge to the properties Coilintuie & Meadowside House) where construction works might pose a disturbance issue to breeding birds or migratory/overwintering species. I was wondering therefore if it is possible to get hold of information on the specific sites within the SPA that the scheduled bird species, (or other species of conservation concern) might favour for nesting, feeding or roosting.

Atkins are also looking at air quality issues in relation to sensitive vegetation communities on the marshes and we may contact you again with some specifics on this.

The alignment works will directly impinge on the Dunachton burn, part of the Spey SAC, and I will again get back to you on this when I have more details of the engineering approach to be adopted to provide a second carriageway at this location. We have completed survey work along this section comprising a protected species and river habitat survey. The survey work did not locate any current evidence for the presence of protected species or their resting places, though we are assuming that otter will pass up and down this watercourse which has some very favourable habitat for this species.

Let me know how best to further the process of consultation and I look forward to hearing from you in due course.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northeacol.co.uk

To: Latimer, William

From: Reed, Denise **Email:** Correspondence between Ecologist and SNH

Phone: NA **Date:** 29 January 2013 09:15

Ref: NA **cc:**

Subject: RE A9 Kinraig-Dalraddy:

William,

At the meeting in Aviemore on the 18th January it was suggested that you contact RSPB direct regarding the Insh Marshes as they hold a huge amount of data for the site. Karen Sutcliffe as the Reserve Manager (01540 661518 Karen.Sutcliffe@rspb.org.uk) is best placed to give up to date detail and she is aware of the project.

Once you have further detail of the engineering work and carried out an HRA for the Dunachton burn, part of the Spey SAC, then I suggest you contact our Area Officer in the Aviemore office, Sue Scoggins, for further comment and advice (sue.scoggins@snh.gov.uk). Similarly, with regard to air quality issues.

Regards,

Denise

To: Reed, Denise
From: Latimer, William **Email:** Correspondence between Ecologist and SNH
Phone: NA **Date:** 19 March 2013 12:01
Ref: NA **cc:**
Subject: RE A9 Kincaig-Dalraddy:

Denise,

You will be aware of earlier correspondence with Shirley Reid over the proposed dualling of the A9 and the screening of potential effects upon the EC Directive sites in the locality.

We have now completed preliminary consultation and data collection from the consultees and are in the process of producing the final chapters for the ES. We have therefore completed the screening of the possible effects upon the Spey and Insh Marshes European sites and I have summarised the key issues below in relation to the following sites:

- River Spey SAC and SSSI with the road alignment around 250 metres from the river at its closest point (within the Insh Marshes SAC);
- Insh Marshes SAC, SPA, Ramsar and SSSI; 35 metres from the A9 at its closest point, and,
- Alvie SSSI, the boundary of which is probably contiguous with the base of the eastern embankment of the A9 north of the Alt an Fhearna bridge.

Following surveys and site inspections last year and more recently in February this year to look in more detail at the engineering footprints, and the analysis of information arising from consultation with and data collection from the National Park, the Spey Fisheries Board, the RSPB and the highway maintenance authority TranServe, the potential effects which have been considered are:

Temporary construction impacts:

- aqueous run-off from the construction corridor into tributaries of the Spey system in relation to otter,
- freshwater pearl mussel, Atlantic salmon, sea lamprey (and arctic charr);
- disturbance to notified birds of the Insh marshes from road works in the southern section of the alignment from possibly visual disturbance and construction noise.

Potential permanent impacts:

- land-take,
- road run-off,
- aerial emissions and nitrogen deposition on the Insh marshes,
- traffic noise, and
- increase in severance of wildlife corridors.

Construction will be undertaken to best practice with due regard to the implications of construction run-off for the scheduled sites. We have found no evidence for otter resting places or for freshwater pearl mussel during the river habitat survey work (500 metres upstream and downstream) and extended Phase 1 surveys. From existing records, Atlantic salmon and lamprey are not thought to extend up to the Dunachton burn bridge. We therefore consider that with good working practice there should be no implications with regard to the Spey SAC. The small section of land-take over the Dunachton burn to the second carriageway will result in some "land take" by bridging over the burn, but this is also considered unlikely to affect the interests of the SAC.

In relation to construction works where there is a risk of high or percussive noise being generated by works on rock cuttings in the south of the A9 (around 600 metres from the Inch marshes) it is proposed to time these operations so as to avoid the bird breeding season. The retention of the existing mature trees on the embankment between the A9 and the marshes, and the works being conducted here by dualling on the western side of the retained operational eastern carriageway will provide some screening of the visual activity associated with construction. We consider therefore that construction effects, with seasonal working as needed, will not affect the interests of the Inch Marshes SAC/SPA.

Of the potential permanent impacts, there will be a small section of land-take to the second carriageway over the Dunachton burn, part of the Spey SAC, but as noted above, we find it unlikely that this will affect the designated interests. The existing fish pass will remain and, in the unlikely event of any improvements needed, these can be undertaken. New bridges will be built so that a terrestrial strip, or mammal ledge, is retained along both river banks (often associated underpasses provides one of these conduits) assisting passage by otters and other wildlife.

The road drainage system is to be improved by a larger system of naturally vegetated swales and detention basins, and we would therefore expect a possible net improvement in water quality over the current baseline condition.

Aerial emissions from traffic along the A9 has been modelled for current traffic flows along a transect into the Inch Marshes at its closest point to the road. Deposition levels for nitrogen are well below those considered to pose a risk to the vegetation communities present on the marsh. With the westerly movement in the mid line of the road, a very small improvement in air quality in relation to the marshes is predicted from the modelling. With no significant change in traffic volumes predicted between opening and design year 15, air quality has been scoped out of the assessment of operational impacts.

Similarly, traffic noise is not predicted to show an increase, and may decrease over time with changing technology.

The effect of widening on wildlife corridors will be mitigated by the provision of bridge ledges/terrestrial strips as mentioned above in relation to otter, and dry parallel culverts provided at the smaller burn crossings. The retained underpasses will continue to provide access under the road and attention will be paid to fencing design at all underpasses to ensure that these are accessible to mammals crossing the wider countryside around the A9.

In conclusion, we find that the scheme, with the mitigation briefly described above, is unlikely to have any adverse implications for the interests of the scheduled sites and there is scope for some improvement over the current baseline condition in relation to water quality and permeability of the road alignment to wildlife.

A final note on land-take in relation to scheduled sites, I am liaising with Sue Scoggins over the potential for a small area of land take along the existing roadside edge of the Alvie SSSI from widening to the east at this location, the extent of which will depend on the precise location of the boundary and the refined engineering proposals at this location. In mitigation, we are developing proposals for replacement woodland planting for relatively small areas of wet woodlands lost to the scheme both at the Dunachton crossing and by the Alt an Fhearna on the boundary of the Alvie SSSI.

I hope the above summary is sufficient for you to consider the issue of AA screening in relation to the EC directive sites. Should you require more detailed information at this stage, please do not hesitate to contact us and we will attempt to address any issues raised.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecon.co.uk

To: Sutcliffe, Karen

From: Latimer, William **Email:** Correspondence between Ecologist and RSPB

Phone: NA **Date:** 01 February 2013 10:08

Ref: NA **cc:** Stephen Bacon

Subject: RE A9 Kincaig-Dalraddy:

Karen,

As you will see from the e-mail train below, as the ecologist for the preparation of the EIA for this scheme, I have been directed to you for information on the Insh Marshes SPA.

I have attached an extract from the SNH Site link page to show the section of the Insh Marshes that I feel we need to consider in relation to potential disturbance to birds from the construction work and possibly traffic noise in the future (the 15 years after construction impacts required by Transport Scotland, though traffic projections suggest that volumes may not increase so much over the current levels).

I would be very grateful for your views on this and if you consider that there may be sensitive nesting sites, or feeding/roosting sites within the potential area of disturbance some additional details on sites and species would be good.

Let me know the best way to further this enquiry.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecol.co.uk

To: Latimer, William
From: Sutcliffe, Karen **Email:** Correspondence between Ecologist and RSPB
Phone: NA **Date:** 15 February 2013 12:16
Ref: NA **cc:**
Subject: RE A9 Kincaig-Dalraddy:

Hi William,

Without much detail on methods, routes, timings, etc this is difficult to assess, however, my initial thoughts on the impacts on the designated site are as follows:

One of the favoured areas for breeding spotted crake is in close proximity – likely to be impacted only during the construction phase.

Wintering whooper swan, one of the favoured feeding spots is on the section of marsh adjacent to the dualling. I guess one thing to ensure is that there will not be an increased risk of bird strike and impact during construction phase.

Breeding wigeon, waders and other wildfowl – again disturbance during the construction phase.

The ospreys that nest on Loch Insh are far enough away as to not be disturbed at the nesting site; however, they do fish on the River Spey close to the proposed dualling.

The longer-term impacts that need to be considered are those on the wetland habitat. The discharge of runoff from the road could have a localised impact on the vegetation, especially if this run off is high in salt from gritting operations and from other road pollutants. There are several rare plants close to the proposed dualling.

There is data available for all of the species mentioned above which if need we could supply at a small charge.

Happy to discuss any of the above further.

Karen

To: Sutcliffe, Karen
From: Latimer, William **Email:** Correspondence between Ecologist and RSPB
Phone: NA **Date:** 15 February 2013 12:46
Ref: NA **cc:**
Subject: RE A9 Kincaig-Dalraddy:

Karen,

Many thanks for your message below. We would be happy for you to assemble the data and let us know what this would cost. I would be particularly interested in locational information and it would be very helpful if you could mark up a plan with areas of particular sensitivity, e.g the spotted crane breeding area. The area of concern I think is the southern section of the alignment (shown on the attached plan from the red arrow northwards) where the road runs close to the marshes. North of the at-grade junction to Dunachton Lodge the A9 veers away from the marshes, with woods and landforms screening the road, so I think this become less of an issue further north of this.

Works would be on-line; I am not aware of any off-site construction here, and the timings could be managed if we thought there might be a significant impact upon the interests of the reserve. I note your concerns as to run-off and the dualling plans are to include improvements to the drainage with surface run-off directed into long swales before entering the watercourses, though the details of these are currently being worked on. Again, if you were able to pinpoint areas of particular sensitivity, that would be very useful.

Let me know if you need anything else at this stage and I look forward to hearing from you in due course.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecol.co.uk

To: Grant, Bob

From: Latimer, William **Email:** Correspondence between Ecologist and CNPA

Phone: NA **Date:** 28 January 2013 15:09

Ref: NA **cc:** Bacon, Stephen;

Subject: A9 Dualling Kinraig - Dalraddy

Bob,

I understand the first round of consultation with Atkins and Transport for Scotland has now taken place, and I have your contact details from Atkins, to whom we are working.

I did call in to the Grantown offices some time ago now and had an informal talk with Dr Henderson who I understand dealt with consultation over original proposals in 2007. He indicated that the CNPA might have records of interest to us for the area (in particular protected mammals) and that the maintenance company Transerve had been using camera traps to look at use of the underpasses. We are also seeking your views on potential impacts and the measures you might want to see to mitigate these.

Let me know the best way to further consultation with the CNPA and I look forward to hearing from you.

Kind regards,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northeol.co.uk

To:	Hetherington, David		
From:	Latimer, William	Email:	Correspondence between Ecologist and CNPA
Phone:	NA	Date:	11 February 2013 11:28
Ref:	NA	cc:	Bacon, Stephen;
Subject:	Transport Scotland A9 Dualling Kincaig-Dalraddy: consultation		

David,

I understand from Bob Grant that you are aware we now have permission from Transport Scotland to formally consult over this scheme and he suggested I get in contact with you.

I am not sure if you have seen the detailed design proposals? For the present I have attached an OS plan overview of the section past Kincaig with red arrows indicating the start and finish points for the work. The detailed design drawings add up to a bit more space so let me know if you need those. A potted summary of the proposal is for dualling with widening to the west, south of Kincaig, widening to the east north of Kincaig and stopping up of the at-grade junctions. Existing underpasses will be retained and improved with terrestrial strips or mammal ledges provided where watercourse crossings are re-constructed. The feasibility of retro-fitting ledges, or providing parallel dry culverts, at the crossing points of the smaller watercourses will also be examined.

Over the period from August to October last summer we conducted our own fieldwork to complete the Phase 1 habitat survey, river habitat survey and protected mammals survey work. The more detailed studies on bat activity as conducted by Atkins for the 2007 ES was not repeated as it was felt that the results obtained from that earlier study would remain relevant to the current condition. Similarly, as for the 2007 ES, a detailed breeding bird survey was not done. The protected mammal surveys, done both as part of the Phase 1 habitat survey, and during the river habitat survey, recorded surprisingly little activity, with no evidence found for otter (though we know they are around), and one pine marten scat found along the Alt an Fhearna. Roe deer were frequently encountered (including evidence of road kill at the Alvie junction).

The wood ant (*Formica lugubris*) population detected during the Atkins' (2007) surveys remains, but the number of nests appear to have declined, probably as a result of the onset of canopy closure of the younger pines along the western roadside verge in the Alvie woodlands section (only two ant's nests were found on the eastern verge with its cooler north-west aspect). I doubt there is merit in trying to translocate the two small nests on the eastern verge, and it appears likely that none of the remaining nests on the western verge (around 22 on highway land) will be lost (with widening to the east at this location). To enhance the population I am recommending management of the western verge (warmer and lighter with a south-east facing aspect), by scalloping and thinning back the young pines on the roadside embankment to increase the edge effect that this species of ant seems to rely on. To be effective over the long term, repeated clearance of seeding pine would probably be needed, probably every 10 - 15 years, so this would need to be built into the maintenance programme. Any views you have on that proposals would be welcome. On this subject, do you know if Transport Scotland (like the English HA) has a biodiversity action plan? I can find no reference to a current plan on the internet.

I have been in contact with Greg Fullarton for his data on the camera trapping exercise he started and data on road kills. We would, of course, be very interested in what records you have to supplement the currently very sparse data on mammals (or other groups) or for your suggestions as to other wildlife groups to contact in this respect. We are also, of course, seeking your response to the dualling proposals and recommendations for mitigating any effects of concern.

Looking forward to hearing from you and let me know if you need any additional information, or if you would like to meet up to consider the plans in more detail.

With best wishes,

William

Dr William Latimer FIEEM, C.Env.
Northern Ecological Services
North Wing
Aboyne Castle Business Centre
Aboyne
Aberdeenshire
AB34 5JP

Switchboard 013398 87407
Direct Line 013398 87852
Fax 013398 85397
Mobile 07833 547240
www.northecon.co.uk

To:	Hetherington, David/ Grant, Bob		
From:	Latimer, William	Email:	NA
Phone:	Various	Date:	Various during February 2013 ¹
Ref:	NA	cc:	
Subject:	Transport Scotland A9 Dualling Kincaig-Dalraddy: consultation		

The National Park was consulted over its database of sites and species for the area of the proposed Scheme and for its views on potential effects and the scope for mitigation and enhancements. Following the submission of these emails, various discussions were held via telephone call regarding the request to the CNPA for their feedback regarding the proposed Scheme. These phone calls were made after Bob Grant informed William Latimer to contact David Hetherington.

The National Park provided records for wild cat in the area of the project and their comments in relation to the proposed Scheme were as follows:

- *“It is essential that the appraisal of ecological impacts of dualling are considered strategically along the whole stretch of the road rather than in a piecemeal fashion, e.g. the Kincaig-Dalraddy section.*
- *The current permeability of the A9 within the Cairngorms National Park to wildlife must be systematically assessed along its length.*
- *Camera trapping should be used, in tandem with field signs, to assess the level of use by existing crossing structures such as underpasses and culverts.*
- *Roadkill carcasses should be systematically collected and collated along the length of the A9, while historical records should also be collated, so as to better understand where wildlife chooses to cross the road, and the levels of mortality experienced.*
- *A strategic assessment should be undertaken by specialists into how the permeability of a dualled A9 could be enhanced for a variety of key species, including deer, bearing in mind the need for species migration for climate change adaptation. This should consider the efficacy of new, purpose-built crossing structures.*
- *The loss of semi-natural habitats to dualling should be compensated through the off-site enhancement in the National Park of habitats at a rate which is greater than that being lost.*
- *For very site-specific species, e.g. notable plants, wood ant nests etc., the feasibility of translocation from ground identified for clearance should be seriously explored”.*

1

Unfortunately the dates of these phone calls were not recorded; however the outcomes of these discussions were noted and have been included in the Environmental Statement.

3.5. Landscape and Visual Effects

To:	David Hetherington; Matthew Hawkins; Sue Scoggins; Karen Mitchell		
From:	Bacon, Stephen	Email:	Correspondence between Atkins and CNPA
Phone:	NA	Date:	02 May 2013
Ref:	NA	cc:	Gunn, Rory H; Frances Thin; Bob Grant; 'Jo.Blewett@transportscotland.gsi.gov.uk'
Subject:	A9 Kincaig-Dalraddy: Woodland Mixes		

Dear All

As discussed at our meeting on 25th April 2013, please find below further rationale on the proposed woodland species composition as promised.

Mix A

Our project Ecologist and Landscape Architect are of the opinion that the mix proposed is a typical representation of woodlands on less acid soils or deeper soils such as occur along the south of the scheme. If there are any specific aspects of the mix you would like us to consider altering, please let me know.

Mix B

We have no objection to reducing the dominance of larch in this mix, but as it is typical of the landscape in this area and has wildlife value (seeds are eaten by birds and it provides a good nesting structure) we suggest that, rather than exclude it altogether, we reduce its cover to around 15%, raise the Scots pine cover and include *Betula pendula* which should be fine on dry slopes (*pubescens* and *Popula tremula* for damper areas).

Riparian Woodland

The proposed off-site mitigation area located on an Ancient Woodland Inventory site was discussed ('Area 1'). The Phase 1 survey indicates that this area currently has a sparse cover of mature birch in otherwise damp grassland. This area was identified for planting of Alder because of its proximity to the Dunachton Burn where there is some riparian woodland loss and where there is otherwise no scope for new planting.

The other off-site areas ('3' & '4' by the Allt an Fhearna/Loch Alvie) are outside the ancient woodland inventory areas and here the species mix should comprise the following species (there would be local variations in percent cover according to soils & hydrology):

- 40% *Alnus glutinosa*
- 10% *Salix cinerea*
- 20% *Salix caprea*
- 15% *Betula pubescens*
- 10% *Populus tremula*
- 05% *Ulmus glabra*

I trust the above is acceptable, but please don't hesitate to contact me if you require any further information or have any specific comments that you would like us to address at this stage. In the meantime we will continue to review the other comments raised at our meeting and I will circulate further details in due course as required.

Regards

Stephen

Stephen Bacon

Principal Landscape Architect, Water & Environment

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, G1 4RU | Tel: +44 141 220 2297 | Mobile: +44 781 223 7731

Email: stephen.bacon@atkinsglobal.com | Web: www.atkinsglobal.com |

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Bacon, Stephen; 'David Hetherington'; 'Matthew Hawkins'; Karen Mitchell
From: Scoggins, Sue **Email:** Correspondence between Atkins and CNPA
Phone: NA **Date:** 03 May 2013
Ref: NA **cc:** Gunn, Rory H; Frances Thin; Bob Grant; 'Jo.Blewett@transportscotland.gsi.gov.uk'
Subject: RE A9 Kincaig-Dalraddy: Woodland mixes

Stephen

cc. David, Matthew and Karen for info

Thank you for sending through details of the woodland mixes following discussions at our meeting on 25 April 2013.

I will ask advice from our woodland specialist and cc. in colleagues at the CNPA. We will comment on any woodland mixes to be used within or close to the designated sites, the CNPA may wish to comments on woodlands in the wider countryside.

Kind regards

Sue

Sue Scoggins
 Operations Officer
 Cairngorms Team
 South Highland
 Aviemore
 01479 810477

To: Fernandes, Ujwala
From: Hawkins, Matthew **Email:** Correspondence between Atkins and CNPA
Phone: NA **Date:** 21 January 2013 14:07
Ref: NA **cc:** Bob Grant; Frances Thin
Subject: RE A9 Kincaig-Dalraddy: Mitigation Plan Comments

Hi Ujwala,

I have attached a copy of the comments made on landscape issues and ecological issue² for the earlier scheme. If you would like to discuss this further then please feel free to come back to me, I will be happy to help.

Regards

Matthew

Matthew Hawkins, Heritage Manager
 Cairngorms National Park Authority
 14 The Square, Grantown-on-Spey, Moray PH26 3HG
 Direct Dial: 01479 870571, Main Switchboard: 01479 873535, Fax: 01479 873527
 www.cairngorms.co.uk

To: Grant, Bob

From: Fernandes, Ujwala **Email:** Correspondence between Atkins and CNPA

Phone: NA **Date:** 21 January 2013 12:04

Ref: NA **cc:** Bacon, Stephen; Gunn, Rory H

Subject: A9 Kincaig-Dalraddy: Mitigation Plan Comments

Hello Bob,

I'm part of the Atkins EIA team for the A9 Kincaig-Dalraddy Dualling Scheme.

We are in the process of developing landscape mitigation plans for this scheme and aim to send these to you soon for review/comment. Before we do this however, we would like to review any comments made on the landscape plans for the previous scheme (in 2006-2007) to ensure that the current proposals take these into account. Can you please send me the comments that CNPA had provided on the previous scheme?

Thanks very much,

Kind Regards,

Ujwala Fernandes BArch (Hons), MLA, CMLI
Chartered Landscape Architect, Water and Environment

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, G1 4RU | Tel: +44 (0)141 220 2367 | Mob: +44 7834 505799 | Fax: +44 (0)141 220 2001

Email: ujwala.fernandes@atkinglobal.com | Web: www.atkinglobal.com
Twitter: www.twitter.com/atkinglobal | Facebook: www.facebook.com/atkinglobal
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

3.7. Traffic Noise and Vibration

To:	Skinner, Zoe		
From:	Rogerson, Fiona	Email:	Email correspondence between Atkins and Highland Council
Phone:	NA	Date:	19 February 2013
Ref:	NA	cc:	Stephen Bacon
Subject:	A9 Kincaig Dualling		

Zoe,

Further to our telephone conversation, the broad description of the A9 Kincaig widening scheme is as follows:

Commencing approximately 20m north of the existing underpass providing access to the Highland Wildlife Park, the scheme is 7.1km in length providing approximately 6.5km of full dual carriageway. The northern extent lies on the land boundary of Alvie and Dalraddy Estate, 2.8km south of the junction with the B951 and southern access to Aviemore.

For the initial 1.8km of the scheme the existing carriageway is widened to the west, with the current carriageway alignment forming the new southbound carriageways. The widening then transfers to the east, with the current carriageway forming the new northbound.

I've attached some schematics showing the key elements of the scheme.

Please can you let me know of any comments that you might have with regard to the following:

- Any noise issues that I need to be aware of currently affecting or expected to affect the area which may have cumulative impacts with this scheme.
- Receptors which are especially sensitive to noise (a full DMRB assessment will be undertaken including all residential receptors and other identified noise sensitive receptors within 600m of the scheme).
- Any noise policies or noise constraints arising from local plans that I should be aware of and in particular any comments you have on the methodology of assessing construction noise impacts.

As discussed it has not proved possible thus far to undertake a noise survey due to the weather conditions over the past couple of months. We will continue to look for an opportunity to update the baseline but this may not be in time to be incorporated into the ES. As such the baseline will be informed by the predicted traffic noise levels together with the previous survey measurements undertaken in 2004 at this stage.

Many thanks for your help with this.

Best regards,

Fiona Rogerson
Senior Acoustician, Water and Environment

ATKINS

75 years of design, engineering and project management excellence

The Axis, 10 Holliday Street, Birmingham, B1 1TF | Tel: +44 (0)121 483 5000 | DD: +44 (0)121 483 6230

Email: fiona.rogerson@atkinsglobal.com | Web: www.atkinsglobal.com |

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Rogerson, Fiona

From: Skinner, Zoe **Email:** Email correspondence between Atkins and Highland Council

Phone: NA **Date:** 01 March 2013

Ref: NA **cc:**

Subject: A9 Kincaig Dualling

Good afternoon

I refer to your recent e-mail and apologise for the delay in my response. In regard to the questions you raised within your e-mail, I would make the following comments:

- Our Service is not aware of any current or going noise issues which may have an accumulative impact with the scheme. However I understand that there is an existing working quarry within the area.
- Our Service is not aware of any particularly noise sensitive receptors within the area. However, as it appears that the scheme runs close to the Highland Wildlife Park, I would advise that you liaise directly with them in regarding concerns they may have about noise.
- As far as I am aware there are no noise constraints contained within any local plans for the area.

As discussed our Service would have some concerns in regard to relying on noise monitoring survey undertaken in 2004. Whilst I appreciate the practical difficulties in undertaking a new survey, our Service would advise that every effort should be made to obtain more up to noise levels.

I trust that this information is of assistance to you. However if you require any further information at this stage please do not hesitate to contact me.

Kind regards

Zoe Skinner

Environmental Health Officer
Highland Council
Transport, Environment and Community Services
Town House, High Street, Inverness IV1 1JJ
Tel 01463 785046
email zoe.skinner@highland.gov.uk

To:	Skinner, Zoe		
From:	Rogerson, Fiona	Email:	Email correspondence between Atkins and Highland Council
Phone:	NA	Date:	14 March 2013
Ref:	NA	cc:	Stephen Bacon
Subject:	A9 Kincaig Dualling		

Dear Zoe,

Since we last spoke, I have come across some information that was provided by your service back in 2007 at the time of the assessment of the previous A9 Kincaig widening scheme. Please see the below email from Bob Murdoch and the attached document.

I understand that your policies have probably been updated since then but please can you confirm that this is no longer applicable?

You indicated in our telephone conversation that one of the methods in BS 5228 could be used to assess the significance and you also indicated that normal construction hours are 08:00 – 19:00 Monday to Friday and half day Saturday.

I propose to use BS 5228 Example Method 1 (Annex E, E3.2) to assess the impacts of the scheme taking into account the baseline. This method provides minimum significance threshold values for construction noise impacts of 65 dB LAeq (day), 55 dB LAeq (eve and weekends) and 45 dB LAeq (night) where daytime is from 07:00 – 19:00 Mon – Fri and 07:00 – 13:00 Sat; night-time is 23:00 – 07:00 and evenings and weekends make up the remainder of the time.

As it is possible that for a road scheme some working may be required outside of the normal hours, please can you confirm how you would like me to address this? It is unlikely that I will have sufficient information to undertake a detailed assessment of any proposed works outside of normal hours and so I would be more likely to state that any works being undertaken in these periods should not exceed X dB at the nearest noise sensitive receptors; subject to agreement with the LA once a contractor is on board and has developed a detailed programme of working. Please can you also confirm whether the normal daytime working hours can be extended to 7am in the morning as per BS 5228 rather than the suggested 8am?

Best regards,

Fiona

Fiona Rogerson
Senior Acoustician, Water and Environment

ATKINS

75 years of design, engineering and project management excellence

The Axis, 10 Holliday Street, Birmingham, B1 1TF | Tel: +44 (0)121 483 5000 | DD: +44 (0)121 483 6230

Email: fiona.rogerson@atkinsglobal.com | Web: www.atkinsglobal.com |

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Bob Murdoch [Bob.Murdoch2@highland.gov.uk]
From: Bob Murdoch [Bob.Murdoch2@highland.gov.uk] **Email:**
Phone: NA **Date:** 05 February 2007 10:25
Ref: NA **cc:** Stephen Bacon
Subject: A9 Kinraig Dualling

Attachments: NOISE & VIBRATION LEVELS.doc

Hi Fiona,

I attach for your information details of the general noise and vibration levels that we normally consider acceptable. These are based on British Standard 5228:1997 (Code of Practise for Noise Control on Construction and Demolition Sites) and have been agreed following consultation with neighbouring local Authorities.

I would point out that in practise the 40dB(A) Leq (1 hour) would only permit the operation of equipment such as generators, water pumps etc. at the times indicated. The selection, siting, and screening of such equipment should be given careful consideration if it needs to be operated near noise-sensitive premises.

Regards,

Bob Murdoch

Environmental Health Officer
Highland Council
Ruthven Road, Kingussie, PH21 1EJ
Tel: (01540) 664504

To:	Rogerson, Fiona		
From:	Skinner, Zoe	Email:	Email correspondence between Atkins and Highland Council
Phone:	NA	Date:	20 March 2013
Ref:	NA	cc:	
Subject:	A9 Kincaig Dualling		

Good morning

The Highland Council have guidelines for operations on Trunk Roads "*Suggested General Noise and Vibration Level During Operations on Trunk Road*" and these are those sent to you by Mr Murdoch in 2007. These haven't been amended or updated and our Service would still advise that the noise and vibration levels in this guidance are complied. I apologise for not including them in my original e-mail.

However I appreciate that BS5228 has been updated since these guidelines were originally produced. Therefore your proposal to use BS5228 Example Method 1 The ABC Method (Annex E, E3.2) to determine the significant of the noise from the construction phase would be acceptable. From our previous discussions I understand you have had difficulties carrying out a new noise survey and are currently using figures from 2004. Whilst I appreciate that you are committed to undertaking a new noise survey this may not be complete at the time of submission of the EIA. Consequently the assessment may need to be reviewed when the new noise survey has been completed.

As you may be aware the Highland Council's standard planning condition for construction noise is as follows:

Operations for which noise is audible at the boundary of the site shall only be carried out between 0800 hours and 1900 hours Monday to Friday, between 0800 hours and 1300 hours on Saturdays and at no time on a Sunday or public holiday.

Work requiring to be carried out outwith these times shall only commence with the prior written approval of the Planning Authority.

Therefore our Service would still recommend that the normal hours of operation for construction noise comply with the Highland Council standard condition and start at 8:00am.

I appreciate that construction work out with these hours may be required and as such can be permitted with the agreement of the Highland Council. Obviously this would depend on various factors such as duration of works out with normal hours, noise levels etc. I would imagine there are some sections of the A9 where there are no nearby houses and noise from night time working wouldn't be an issue.

However, in circumstances where there are noise sensitive receptors, our Service would recommend that the night time noise levels in the "*Suggested General Noise and Vibration Level During Operations on Trunk Road*" guidance are complied with. In addition to this a construction method statement should be provided. This should state the noise mitigation measures to be employed; the intended times of operation and the community liaison arrangements etc. It should demonstrate that the best practicable means are being employed to mitigate the effects of noise and vibration. Although I appreciate that this detail will not be available for inclusion in the EIA.

I hope that this answers your questions and clarifies our Service's position. However, should you wish to discuss this any further please do not hesitate to contact me.

Kind regards

Zoe Skinner

Environmental Health Officer
Highland Council
Transport, Environment and Community Services
Town House, High Street, Inverness IV1 1JJ
Tel 01463 785046
email zoe.skinner@highland.gov.uk

3.8. Road Drainage and the Water Environment

To: Ferguson, Duncan

From: Mackay, Evelyn **Email:** NA

Phone: NA **Date:** 31 January 2013

Ref: **cc:** Jo Blewett, Drew Hill, Stephen Bacon, Rory Gunn

Subject: Environmental Statement for proposed A9 dualling

Hi Duncan,

Atkins are currently working on the Environmental Statement for the proposed A9 Kinraig to Dalraddy dualling. We are completing the Water Environment section. The A9 crosses 6 watercourses in the Kinraig to Dalraddy stretch; the Dunachton Burn, Leault Burn, Baldow Smiddy, Lower Milehead, an unnamed watercourse and the Allt an Fhearna.

We were hoping you could send us information on important fish populations and areas of habitats for the 6 watercourses above and for the Spey, particularly the section that runs alongside the A9 from Kinraig to Dalraddy, the importance of the spey to fish breeding and your policy for increasing stock.

In addition to this, if there is any other information you feel would be of benefit to us or if you have any concerns about the impact the A9 dualling may have on the fish in these watercourse, please let us know and we will endeavour to address this in our report.

I have attached an map showing the main water features, please note this is from a previous study which was looking at widening the kinraig to Dalraddy carriageway.

Thanks

Evelyn Mackay
Graduate Engineer, Rivers and Coastal

ATKINS
75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, G1 4RU | Tel: +44 (0)141 220 2280 | Fax: +44 (0)141 200 2001 | Email: evelyn.mackay@atkinglobal.com | Web: www.atkinglobal.com
Twitter: www.twitter.com/atkinglobal | Facebook: www.facebook.com/atkinglobal |
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To:	Mackay, Evelyn	
From:	Ferguson, Duncan	Email: NA
Phone:	NA	Date: 07 February 2013
Ref:	cc:	
Subject:	Environmental Statement for proposed A9 dualling	

Afternoon Evelyn

Further to your email dated 31/1/13 we are pleased that you contacted us at this early stage, and we would like to work with you on the environmental aspects of the duelling of this section of the A9.

The Spey Fishery Board is a statutory body with a remit to conserve and protect the salmon and sea trout populations in the River Spey. It's partners are a) Spey Foundation, a charitable organisation responsible for amongst others for gathering of scientific data and conducting research on all aspects of riparian and riverine ecology, and b) Spey Catchment Initiative which delivers catchment wide habitat and environmental improvements within the Spey catchment. The Initiative has a proven track record of delivering and may be a useful point of contact.

The Spey Foundation holds varied amounts of data regarding habitat and fish populations on the River Spey, Dunachton Burn and the Allt Na Fhearna. It should be noted that the Dunachton Burn is also an important spawning tributary for Arctic charr which are present in Loch Insh. Little data is held for the smaller watercourses identified but the Foundation is resourced to gather relevant data to set baseline standards, all to Scottish Fisheries Coordination Centre (SFCC) standards before any works take place.

Within the three organisations we have extensive local knowledge of the area. Regarding salmon stock improvements the emphasis is very much towards habitat improvements and we would see the proposed works on the A9 as providing an opportunity to enhance the environment locally both within and outwith the study area.

This part of the River Spey supports a range of important habitat and species some of which are listed below:

- Atlantic salmon in the River Spey and tributaries
- Brown (sea) trout in River Spey and tributaries
- Arctic charr in Loch Insh. It is thought that the Dunachton Burn is used for spawning
- Eels and other fish species present according to watercourse
- Loch Alvie/Beag are known to support non-native fish species
- Freshwater pearl mussels are present in the River Spey although their extent in the immediate area of the proposed works are not known
- Sea lampreys known to spawn in the River Spey
- Otters present throughout the area
- Ospreys use River Spey and lochs for feeding

In delivering your environmental statement we would be keen to specific statements on the following:

Appropriate fish passage provision at all watercrossings.

Invasive/ Biosecurity procedures to help maintain the high quality status of the local area, e.g. the washing of all plant at their last site before transport.

Installation of SUDS in initial construction phase to control dirty water run-off.

Full drainage plan to minimise volume of potentially dirty site run-off.

Duncan Ferguson
Operations Manager
Spey District Fishery Board
Mob: 07823334747

To:	Reid, Shirley	Email:	NA
From:	Mackay, Evelyn	Date:	31 January 2013
Phone:	NA	cc:	Jo Blewett, Stephen Bacon, Drew Hill, Rory Gunn
Ref:		Subject:	Environmental Statement for proposed A9 dualling

Hi Shirley,

Atkins are currently working on the Environmental Statement for the proposed A9 Kincaig to Dalraddy dualling. We are completing the Water Environment section. The A9 crosses 6 watercourses in the Kincaig to Dalraddy stretch; the Dunachton Burn, Leault Burn, Baldow Smiddy, Lower Milehead, an unnamed watercourse and the Allt an Fhearna.

We were hoping you could send us information on important species and habitat for the 6 watercourse above and for the Spey, particularly the section that runs alongside the A9 from Kincaig to Dalraddy.

In addition to this, if there is any other information you feel would be of benefit to us or if you have any concerns about the impact the A9 dualling may have on the species and habitats that depend on these watercourses, please let us know and we will endeavour to address this in our report.

I have attached an map showing the main water features, please note this is from a previous study which was looking at widening the kincaig to Dalraddy carriageway.

Thanks

Evelyn Mackay
Graduate Engineer, Rivers and Coastal

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, G1 4RU | Tel: +44 (0)141 220 2280 | Fax: +44 (0)141 200 2001 | Email: evelyn.mackay@atkinsglobal.com
com | Web: www.atkinsglobal.com
Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Mackay, Evelyn
From: Reid, Shirley **Email:** NA
Phone: NA **Date:** 04 February 2013
Ref: **cc:** Jo Blewett, Stephen Bacon, Drew Hill, Rory Gunn
Subject: Environmental Statement for proposed A9 dualling

Hi Evelyn,

I understand from Stephen that you sent this message to Duncan at the SFB but I don't know if you've also contacted the CNPA or any other organisation with the same request, for example the RSPB. At our recent meeting we had a chat about the gathering of existing environmental data. A note of the meeting was to be written up by TS/Atkins/Jacobs - this might help point you in the right direction for other people to contact.

Rory explained at this meeting that survey work had already been carried out. I believe that this was to be circulated to us and the CNPA for us to comment on, including any species that we felt may have been missed (your second question below).

My colleague Sue in our Aviemore office will check what information we have that might be of use to you. In the meantime I would suggest that you contact Matthew Hawkins or David Hetherington at the CNPA and Karen Sutcliffe, RSPB reserve manager at Insh Marshes.

Could you please confirm that a note of the meeting will be circulated, along with an outline of the species survey work already undertaken?

Regards

Shirley
Shirley Reid
Operations Officer
Tayside and Grampian
Scottish Natural Heritage
Alexander Fleming House
8 Southfield Drive
Elgin
IV30 6GR

Direct dial 01343 540 631
E-mail shirley.reid@snh.gov.uk
General e-mail tayside_grampian@snh.gov.uk

To: Mackay, Evelyn
From: Reid, Shirley **Email:** NA
Phone: NA **Date:** 15 February 2013
Ref: **cc:** Jo Blewett, Stephen Bacon, Drew Hill, Rory Gunn
Subject: Environmental Statement for proposed A9 dualling

Hi Evelyn,

apologies for the delay in getting back to you on this.

Sue and I have had a chat and a rummage in our files. Unfortunately we don't have SNH-specific data on the corridor marked on your map that's likely to be of additional use to you. Duncan at the Spey Fishery Board should be able to provide you with up-to-date fish species information with regards to the burns; Karen at RSPB should have bird data and may also have habitat data for the reserve; Matthew at the CNPA may have species and habitat data of use to you. I understand that you are in touch with these people. You may also wish to ask the local SEPA contact as they may have additional data on aquatic species.

Both the SFB and SEPA may be able to provide you with advice on culverts along the section - existing and proposed.

We would also suggest that you look back at previous work done in relation to dualling proposals in the area. The 2007 environmental statement contains information on species and habitats. While the survey data may be out of date, it should still give you a good indication of what you're likely to find. We feel that overall, the situation with regards to habitats and species present in the area will be largely unchanged from 2007, with the exception of wild cats. The Cairngorms wild cat project collected a large amount of previously unrecorded information on this species in the area - Sue distributed a map at our meeting with TS & Atkins last month and David at the CNPA is very knowledgeable on this project. Information is also available on the web: http://www.highlandtiger.com/cairngorms_wildcat_project.asp

I understand that Atkins also carried out bat survey work in 2007 and 2011 in relation to road proposals in this area - again, while the survey work may be out of date, it may help provide focus for updated work.

At the January meeting, Sue spoke about the sites, habitats and species that we feel are of relevance to this section. Nick Perrin circulated a note of this meeting yesterday and hopefully that should be of help to you too.

Kind regards

Shirley

Shirley Reid
Operations Officer
Tayside and Grampian
Scottish Natural Heritage
Alexander Fleming House
8 Southfield Drive
Elgin
IV30 6GR

Direct dial 01343 540 631
E-mail shirley.reid@snh.gov.uk
General e-mail tayside_grampian@snh.gov.uk

To: Baldwin, Cerian
From: Reid, Shirley **Email:** NA
Phone: NA **Date:** 31 January 2013
Ref: **cc:** Jo Blewett, Stephen Bacon, Drew Hill, Rory Gunn
Subject: Environmental Statement for proposed A9 dualling

Hi Cerian,

Atkins are currently working on completing the Roads and Water Environment section of the ES for the A9 Kincaig to Dalraddy proposed dualling and the FRA for this scheme. Following the consultation meeting from 19th December 2012, we were hoping to obtain more information from yourselves.

Groundwater

- Details of known boreholes, monitoring data and groundwater vulnerability in the vicinity of the A9 road corridor.

Water Quality

- Details of water quality status for Dunachton Burn, Allt an Fhearna and Leault Burn?
- Water quality monitoring results, particularly concentrations of copper, zinc and calcium carbonate from sites close to the road crossings.

Flooding

- Details of known flood incidents in study area

Flow

- Would you be able to provide the Q95%ile flow for the Dunachton Burn, Allt an Fhearna and the Leault Burn? This would allow us to undertake more accurate estimates of the impact of the scheme on the water quality of these watercourse.

If you require any further information in connection with this scheme to respond to the above please get in touch.

Kind Regards

Evelyn Mackay

Graduate Engineer, Rivers and Coastal

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, G1 4RU | Tel: +44 (0)141 220 2280 | Fax: +44 (0)141 200 2001 | Email: evelyn.mackay@atkinsglobal.com | Web: www.atkinsglobal.com

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To: Mackay, Evelyn
From: Science Advice **Email:** Correspondence between Science Advice and Atkins
Phone: NA **Date:** 06 February 2013
Ref: **cc:**
Subject: Update Report, Science Advice Helpdesk REF F1379127

Dear Ms Mackay,

You have an outstanding enquiry logged with the S&S Science Advice Helpdesk, assigned to chemdata, Ref: F1379127. The following update has been added to your call:

Dear Ms Mackay,

In connection with the data enquiry you recently submitted to SEPA/Chemistry, I have been assigned to your request for the water quality monitoring results.

I have investigated the area indicated on your map. There is only one river body historic monitoring site at Dunachton Burn and there is no chemistry data available for this site over the last three years. The Allt an Fhearna and Leault Burn have no river monitoring locations available.

If you have any further questions, please contact SEPA using the following email address (science.advice@sepa.org.uk), quoting the following reference number in the email title (F1379127).

Kind regards

Ruth Wallace
Chemistry Department
SEPA

3.9. Geology and Soils

To:	Reid, Shirley	
From:	Paxton, Kenny	Email: Correspondence between Atkins and SNH
Phone:	NA	Date: 11 April 2013
Ref:	cc: Jo Blewett, Stephen Bacon, Rory Gunn	
Subject:	A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation	

Shirley,

As you may be aware following previous discussions with my colleague Rory Gunn, Atkins have been appointed by Transport Scotland to develop the proposed A9 Dualling upgrade between Kincaig and Dalraddy.

As part of this commission Atkins are proposing to undertake an intrusive ground investigation to assist with the scheme design. I would therefore like to take this opportunity to advise on the extent of investigation and to establish if you have any concerns or requirements which should be included within our investigation.

An overview of the proposed exploratory hole positions are shown on the attached drawings while details of the proposed method of investigation and indicative depths are provided in the attached Schedule 2.

Currently, the procurement process to appoint a suitably qualified competent ground investigation contractor is ongoing. However, once appointed it is our intention to undertake the proposed site works over a four week period in late July / early August this year.

As part of the eventual appointment, the contractor will be required to appoint a suitably qualified Ecological Clerk of Works (ECoW) on a full time basis for the duration of the investigation. The ECoW's remit will be to liaise with Atkins Ecologist with respect to planning and executing all mitigation measures for ecological and environmental issues affecting the investigation, with any issues formally recorded. The ECoW will also be required to control Biosecurity within forest or woodland, where there is a risk of spreading tree pests and diseases i.e. Chalara (Ash dieback disease).

A suitably qualified Archaeological Clerk of Works (ACoW) will also be appointed for the duration of the site operations. The ACoW shall liaise with Atkins Archaeologist with respect to planning and executing all mitigation measures for archaeological issues and undertake a watching brief of any excavated pits to log any archaeological features.

Taking cognisance of the above and attached information I would be grateful if you could advise on concerns or requirements which should be included within our investigation documents and adhered to on site.

Should you need to discuss further please do not hesitate to contact me by return or via telephone number supplied below.

Kind Regards,

Kenny

Kenny Paxton MEng CEng MICE
Senior Geotechnical Engineer, Ground Engineering

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow. G1 4RU | Direct: +44 (0) 141 220 2206 | Tel: +44 (0) 141 220 2000 | Fax: +44 (0) 141 220 2001
E-mail: kenny.paxton@atkinsglobal.com | Web: www.atkinsglobal.com
Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To:	Paxton, Kenny		
From:	Scoggins, Sue	Email:	Correspondence between Atkins and SNH
Phone:	NA	Date:	29 April 2013
Ref:		cc:	
Subject:	A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation		

Kenny

cc. Bob, Karen, Denise and Debbie for info

Many thanks for the information you were able to provide on cable percussive boreholes and for the type of rig that you will be using to do this work.

You confirmed that a wheeled and trailed tripod rig using an auger will make a hole from which samples are to be taken. The tripod rig will be towed by a landrover.

It would be helpful if you could let me know how long the work is expected to take and the route it is proposed to take access onto the SSSI.

Our response follows the roles set out in SNH and the Cairngorm National Park Authorities' (CNPA) agreement. This means that we only advise on matters concerning European Protected Sites, Sites of Special Scientific Interest, National Nature Reserves, European Protected Species (EPS) and wider biodiversity interests where they occur within and are an integral part of a designated site. The CNPA Natural Heritage and Land Management Group will advise on landscape, wider biodiversity interests, access and on interests linked to the National Park designation.

Our comments are on designated sites and EPS only, the CNPA may have comments to make on the GIs outwith the designated sites - please contact Bob Grant bobgrant@cairngorms.co.uk at the CNPA who will be able to advise on the wider biodiversity interests, access and interests linked to the National Park designation.

All of the proposed GIs are outwith any designated site with the exception of BH046 which is within the Alvie SSSI. The scheduled depth of BH046 is 10m through soil and the work will take place on a 7m embankment. The work is to investigate superficial deposits. We understand that tree felling/cutting is not required as this is an open grassy site.

Our advice is that this proposal is not likely to damage the protected natural features of Alvie SSSI, as long as the methodology discussed on the 26 April 2013 and outlined in this email is adhered to. This proposal does not therefore require consent from us for it to be carried out. If the proposed work within the Alvie SSSI is different to that discussed and detailed above please contact us for further advice.

This letter does not absolve you from any contractual or legal responsibility you may have to inform or obtain the consent of any other party prior to carrying out the proposed operation.

Some of the remaining GIs in the Kincaig- Dalraddy section are close to the River Spey Insh Marshes SSSI, SPA and Ramsar, Insh Marshes SAC and the River Spey SSSI and SAC. Adherence to the points set out in the 'Special Requirement in Relation to SEPA' document should ensure there is no pollution of the water environment including sediments and chemical contaminants resulting from the GI works. This will provide sufficient protection for the water environment and therefore the notified and qualifying habitats and species of both the Insh Marshes and the River Spey designated sites.

We have advised that surveys for otter should be carried out where works are proposed within 250m of a watercourse. This work should extend 250m upstream and downstream from the location of these exploratory holes. Any large trees which may contain features suitable for roosting/hibernating bats (cracks, splits or holes) bats should have a pre felling/cutting survey to establish if this EPS is present.

If you have any further questions please direct them in the first instance to Denise Reed who is our overall lead for the A9 dualling project.

Kind regards

Sue

Sue Scoggins
Operations Officer
Cairngorms Team
South Highland
Aviemore
01479 810477

To: Heggie, Colin

From: Paxton, Kenny **Email:** Correspondence between Atkins and BEAR

Phone: NA **Date:** 11 April 2013

Ref: **cc:**

Subject: A9 Kinraig to Dalraddy Dualling Upgrade - Proposed Ground Investigation

Colin,

As you may be aware following previous discussions with my colleague Rory Gunn, Atkins have been appointed by Transport Scotland to develop the proposed A9 Dualling upgrade between Kinraig and Dalraddy.

As part of this commission Atkins are proposing to undertake an intrusive ground investigation to assist with the scheme design. I would therefore like to take this opportunity to advise on the extent of investigation and to establish if you have any concerns or requirements which should be included within our investigation.

An overview of the proposed exploratory hole positions are shown on the attached drawings while details of the proposed method of investigation and indicative depths are provided in the attached Schedule 2.

Currently, the procurement process to appoint a suitably qualified competent ground investigation contractor is ongoing. However, once appointed it is our intention to undertake the proposed site works over a four week period in late July / early August this year.

As part of the eventual appointment, the contractor will be required to appoint a suitably qualified Ecological Clerk of Works (ECoW) on a full time basis for the duration of the investigation. The ECoW's remit will be to liaise with Atkins Ecologist with respect to planning and executing all mitigation measures for ecological and environmental issues affecting the investigation, with any issues formally recorded. The ECoW will also be required to control Biosecurity within forest or woodland, where there is a risk of spreading tree pests and diseases i.e. Chalara (Ash dieback disease).

A suitably qualified Archaeological Clerk of Works (ACoW) will also be appointed for the duration of the site operations. The ACoW shall liaise with Atkins Archaeologist with respect to planning and executing all mitigation measures for archaeological issues and undertake a watching brief of any excavated pits to log any archaeological features.

For reference I also attach an extract from the A9 Luncarty Ground Investigation (procured and developed by Jacobs Engineering UK) Contract documents which outline the requirements of Transerv Scotland for the investigation.

Taking cognisance of the above and attached information I would be grateful if you could advise on concerns or requirements which should be included within our investigation documents and adhered to on site. Please note that for the draft documents, which have still to be issued, I have included the Transerv requirements, assuming that they will represent the minimum requirement of BEAR Scotland.

I would also be grateful if you could advise on any known restrictions (i.e. events or road closures) which could impact on the proposed works.

Should you need to discuss further please do not hesitate to contact me by return or via telephone number supplied below.

Kind Regards,

Kenny

Kenny Paxton MEng CEng MICE
Senior Geotechnical Engineer, Ground Engineering

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow. G1 4RU | Direct: +44 (0) 141 220 2206 | Tel: +44 (0) 141 220 2000 | Fax: +44 (0) 141 220 2001
E-mail: kenny.paxton@atkinglobal.com | Web: www.atkinglobal.com
Twitter: www.twitter.com/atkinglobal | Facebook: www.facebook.com/atkinglobal |
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To:	Grant, Bob		
From:	Paxton, Kenny	Email:	Correspondence between Atkins and CNPA
Phone:	NA	Date:	11 April 2013
Ref:	cc:		
Subject:	A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation		

Bob,

As you may be aware following previous discussions with my colleague Rory Gunn, Atkins have been appointed by Transport Scotland to develop the proposed A9 Dualling upgrade between Kincaig and Dalraddy.

As part of this commission Atkins are proposing to undertake an intrusive ground investigation to assist with the scheme design. I would therefore like to take this opportunity to advise on the extent of investigation and to establish if you have any concerns or requirements which should be included within our investigation.

An overview of the proposed exploratory hole positions are shown on the attached drawings while details of the proposed method of investigation and indicative depths are provided in the attached Schedule 2.

Currently, the procurement process to appoint a suitably qualified competent ground investigation contractor is ongoing. However, once appointed it is our intention to undertake the proposed site works over a four week period in late July / early August this year.

As part of the eventual appointment, the contractor will be required to appoint a suitably qualified Ecological Clerk of Works (ECoW) on a full time basis for the duration of the investigation. The ECoW's remit will be to liaise with Atkins Ecologist with respect to planning and executing all mitigation measures for ecological and environmental issues affecting the investigation, with any issues formally recorded. The ECoW will also be required to control Biosecurity within forest or woodland, where there is a risk of spreading tree pests and diseases i.e. Chalara (Ash dieback disease).

A suitably qualified Archaeological Clerk of Works (ACoW) will also be appointed for the duration of the site operations. The ACoW shall liaise with Atkins Archaeologist with respect to planning and executing all mitigation measures for archaeological issues and undertake a watching brief of any excavated pits to log any archaeological features.

Taking cognisance of the above and attached information I would be grateful if you could advise on concerns or requirements which should be included within our investigation documents and adhered to on site.

Should you need to discuss further please do not hesitate to contact me by return or via telephone number supplied below or alternatively raise with Rory at your meeting scheduled for 25 April.

Kind Regards,

Kenny

Kenny Paxton MEng CEng MICE
Senior Geotechnical Engineer, Ground Engineering

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow. G1 4RU | Direct: +44 (0) 141 220 2206 | Tel: +44 (0) 141 220 2000 | Fax: +44 (0) 141 220 2001
E-mail: kenny.paxton@atkinsglobal.com | Web: www.atkinsglobal.com
Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

To:	Baldwin, Cerian	Email:	Correspondence between Atkins and SEPA
From:	Paxton, Kenny	Date:	11 April 2013
Phone:	NA	cc:	
Ref:			
Subject:	A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation		

Cerian,

As you may be aware following previous discussions with my colleague Rory Gunn, Atkins have been appointed by Transport Scotland to develop the proposed A9 Dualling upgrade between Kincaig and Dalraddy.

As part of this commission Atkins are proposing to undertake an intrusive ground investigation to assist with the scheme design. I would therefore like to take this opportunity to advise on the extent of investigation and to establish if you have any concerns or requirements which should be included within our investigation.

An overview of the proposed exploratory hole positions are shown on the attached drawings while details of the proposed method of investigation and indicative depths are provided in the attached Schedule 2.

Currently, the procurement process to appoint a suitably qualified competent ground investigation contractor is ongoing. However, once appointed it is our intention to undertake the proposed site works over a four week period in late July / early August this year.

As part of the eventual appointment, the contractor will be required to appoint a suitably qualified Ecological Clerk of Works (ECoW) on a full time basis for the duration of the investigation. The ECoW's remit will be to liaise with Atkins Ecologist with respect to planning and executing all mitigation measures for ecological and environmental issues affecting the investigation, with any issues formally recorded. The ECoW will also be required to control Biosecurity within forest or woodland, where there is a risk of spreading tree pests and diseases i.e. Chalara (Ash dieback disease).

A suitably qualified Archaeological Clerk of Works (ACoW) will also be appointed for the duration of the site operations. The ACoW shall liaise with Atkins Archaeologist with respect to planning and executing all mitigation measures for archaeological issues and undertake a watching brief of any excavated pits to log any archaeological features.

Taking cognisance of the above and attached information I would be grateful if you could advise on concerns or requirements which should be included within our investigation documents and adhered to on site.

Should you need to discuss further please do not hesitate to contact me by return or via telephone number supplied below.

Kind Regards,

Kenny

Kenny Paxton MEng CEng MICE
Senior Geotechnical Engineer, Ground Engineering

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow. G1 4RU | Direct: +44 (0) 141 220 2206 | Tel: +44 (0) 141 220 2000 | Fax: +44 (0) 141 220 2001

E-mail: kenny.paxton@atkinsglobal.com | Web: www.atkinsglobal.com

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/atsatkinsplc

To:	Paxton, Kenny	
From:	Dilley, Andrea	Email: Correspondence between Atkins and SEPA
Phone:	NA	Date: 11 April 2013
Ref:	cc:	
Subject:	A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation	

Good afternoon Kenny

Cerian has just gone on leave and won't be back in the office until 30 April. I assume you have had sight of SEPA's scoping letter for this section of the A9 but attach it to this email for completeness.

In Cerian's absence I have consulted our Senior Hydrogeologist, Marco Baglioni, who has attended recent meetings with Cerian over this project and I provide below his general comments. I have copied this email to Cerian to keep her in the loop and so she can come back to you at the end of the month if there is anything else which has cropped up in recent meetings that she would like to bring to your attention.

- In area where road cuttings and suds are planned the boreholes should be installed at sufficient depth to allow groundwater monitoring all year round including dry summer period when groundwater table is likely to be at its lowest. Boreholes should have sufficient diameter to allow hydraulic tests such as permeability, pumping tests etc and groundwater sampling. Borehole construction, logging and testing should be carried out as per applicable British Standards (e.g. BS5390).

All investigations are to be undertaken in accordance with the current relevant industry standards (i.e. BS EN 1997-2: 2007, Geotechnical Design Part 2 Ground Investigation and Testing and BS10175: 2011, Investigation of Potentially Contaminated Sites, Code of Practice).

As indicated by the supplied Schedule 2 combined gas and groundwater installations have been included within the proposed investigation. It should be noted that proposed locations are indicative only but typically correspond to earthwork features (cuts) and areas of potential contaminated ground. The proposed positions are not definitive and may be amended to reflect encountered ground and groundwater conditions.

The Contractor will be required to undertake well development of all installed groundwater monitoring wells for groundwater sampling and testing and shall be conducted in accordance with BS10175:2011. In situ permeability tests within the installations will be undertaken as deemed required by the engineer and will be supplemented by soakaway tests within selected trial pits. Following installation, installations will be monitored daily during the site works period and monthly over a 12 month period following completion of the site works with sampling taken as directed by Atkins.

As the proposed works represent the regrading / extension of existing earthwork features it is considered that the proposed works will have little impact on the current groundwater flow across the site. Consequently, no allowance has been made within the proposed investigation to undertake hydraulic pumping tests at this stage. This can be reviewed as works progress.

- The borehole construction should be adapted to the hydrogeological characteristics of the aquifers and have separate installation in the eventuality of multiple aquifers.

Accepted. Continual review of the ground conditions will be undertaken during the formation of exploratory holes with methods tailored to suit as required.

- It would be preferable if boreholes are protected during and kept after construction activities to allow continuous monitoring of impact on sensitive receptors.

Completed monitoring boreholes shall be protected by a lockable cover (upstand or toby cap) with a surrounding timber fence. The grade of the fence will depend upon the land use at the proposed location – i.e. heavy duty strainer posts may be required in areas where livestock are present to prevent / minimise damage.

- It is expected that national grid reference coordinates and elevation would be provided for each borehole and trial pit.

The appointed contractor will be required to survey the position and elevation of each completed exploratory hole.

- From the Borehole table in Schedule 2 'Exploratory Holes' appears that several boreholes (e.g. BH003, BH005 etc) will not be equipped with 'Groundwater monitoring installation' despite this is specified in the corresponding 'Comments'. It is not clear the base for this selection.

It is considered that all exploratory holes, regardless of the inclusion of a monitoring installation, shall provide information on groundwater conditions through review of strikes encountered during exploratory hole formation. For avoidance of doubt the comments column for each borehole will be updated to include reference to groundwater.

- All abandoned and not used boreholes should be decommissioned following SEPA guidelines 'Decommissioning of redundant boreholes'.

A clause to this effect has been included within the prepared contract documents and will extend to any historical boreholes which may require to be decommissioned as part of the scheme

- The above generic comments are given without the in-depth knowledge of potential sensitive receptors (not mapped in the forwarded document). Therefore we reserve the opportunity of further assessment following the review of the Environmental Statement and Environment Impact Assessment documents.

Accepted. However, please note that the investigation shall be procured and undertaken in advance of the Environmental statement, which relates to the scheme development, being published.

I hope the above is of assistance but if you require any additional clarification please don't hesitate to contact us.

Regards

Andrea Dilley
 Planning Officer
 Planning Service, SEPA, Graesser House, Dingwall Business Park, Dingwall IV15 9XB
 Direct Line: 01349 860302 email:andrea.dilley@sepa.org.uk

To:	Dilley, Andrea	
From:	Paxton, Kenny	Email: Correspondence between Atkins and SEPA
Phone:	NA	Date: 11 April 2013
Ref:	cc:	
Subject:	A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation	

Andrea,

Thanks for the prompt response. Please find below response to identified comments. For ease I have annotated your original email with the response to your comments provided in red text.

Should you need to discuss any of the identified responses or have any further comments please do not hesitate to contact me.

Regards,

Kenny.

To: Paxton, Kenny

From: Haslam, Susan **Email:** Correspondence between Atkins and SEPA

Phone: NA **Date:** 16 April 2013

Ref: **cc:**

Subject: A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation

Hello Kenny

Our hydrogeologists welcome the additional comments you make below in red and have no further comments to make at this stage.

Kind regards

Susan

Susan Haslam
Senior Planning Officer (SEA)
Planning Service, SEPA, Graesser House, Dingwall Business Park, Dingwall, IV15 9XB
Direct line: 01349 860359 Mobile: 07713053767 email: susan.haslam@sepa.org.uk
Please note I am not at work Friday afternoons

To: MacIver, Andrew

From: Paxton, Kenny **Email:** Correspondence between Atkins and Highland Council

Phone: NA **Date:** 16 April 2013

Ref: **cc:**

Subject: A9 Kincaig to Dalraddy Dualling Upgrade - Proposed Ground Investigation

Andrew,

As you may be aware following previous discussions with my colleague Rory Gunn, Atkins have been appointed by Transport Scotland to develop the proposed A9 Dualling upgrade between Kincaig and Dalraddy.

As part of this commission Atkins are proposing to undertake an intrusive ground investigation to assist with the scheme design. I would therefore like to take this opportunity to advise on the extent of investigation and to establish if you have any concerns or requirements which should be included within our investigation.

An overview of the proposed exploratory hole positions are shown on the attached drawings while details of the proposed method of investigation and indicative depths are provided in the attached Schedule 2.

Currently, the procurement process to appoint a suitably qualified competent ground investigation contractor is ongoing. However, once appointed it is our intention to undertake the proposed site works over a four week period in late July / early August this year.

As part of the eventual appointment, the contractor will be required to appoint a suitably qualified Ecological Clerk of Works (ECoW) on a full time basis for the duration of the investigation. The ECoW's remit will be to liaise with Atkins Ecologist with respect to planning and executing all mitigation measures for ecological and environmental issues affecting the investigation, with any issues formally recorded. The ECoW will also be required to control Biosecurity within forest or woodland, where there is a risk of spreading tree pests and diseases i.e. Chalara (Ash dieback disease).

A suitably qualified Archaeological Clerk of Works (ACoW) will also be appointed for the duration of the site operations. The ACoW shall liaise with Atkins Archaeologist with respect to planning and executing all mitigation measures for archaeological issues and undertake a watching brief of any excavated pits to log any archaeological features.

Taking cognisance of the above and attached information I would be grateful if you could advise on concerns or requirements which should be included within our investigation documents and adhered to on site. I would also be grateful if you could advise on any known restrictions (i.e. events or road closures) which could impact on the proposed works.

Should you need to discuss further please do not hesitate to contact me by return or via telephone number supplied below.

Kind Regards,

Kenny

Kenny Paxton MEng CEng MICE
Senior Geotechnical Engineer, Ground Engineering

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow. G1 4RU | Direct: +44 (0) 141 220 2206 | Tel: +44 (0) 141 220 2000 | Fax: +44 (0) 141 220 2001

E-mail: kenny.paxton@atkinsglobal.com | Web: www.atkinsglobal.com

Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal |

LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

3.10. Policy and Plans

To: Mohammed, Iram
From: Grier, Marya **Email:** Correspondence between Atkins and CNPA
Phone: NA **Date:** 15 March 2013 14:32
Ref: **cc:** Conway, David A; Bob Grant
Subject: A9 Kinraig to Dalraddy - Planning Policy Review

Hi Iram,

Sorry about the delay in responding to your query. My comments are included amongst your text (in red) below³. In relation to the Highland Council Structure Plan (2001) and the CNP Local Plan (2010), it would probably be useful to identify specific policies, rather than just having summary text of the general thrust of the plans. Please note my comments should be treated as suggestions, and not a definitive position on all relevant planning policies.

Let me know if you have any queries.

Regards,

Mary

Mary Grier
Senior Planning Officer – Development Management
Cairngorms National Park Authority
Albert Memorial Hall
Station Square
BALLATER
Aberdeenshire
AB35 5QB

Tel. 013397 53609
Fax. 013397 55334
Email. marygrier@cairngorms.co.uk

PLEASE NOTE THAT THESE COMMENTS ARE INCLUDED IN APPENDIX 6 OF THIS DOCUMENT

To: Bob Grant

From: Mohammed, Iram **Email:** Correspondence between Atkins and CNPA

Phone: NA **Date:** 04 March 2013 17:33

Ref: **cc:**

Subject: A9 Kincaig to Dalraddy - Planning Policy Review

Hi Bob,

I hope you're keeping well and so are the rest of the CNPA staff? Please send my regards to the team!

I was hoping you might be able to pass the below on to the planners? It is a list of planning policy we have identified as being relevant to the A9 Kincaig dulling EIA. I was hoping someone in the planning team may be able to cast their eye over it quickly and confirm if we have covered all the relevant planning policy or are there any additional key planning policy we should be considering.

If possible, would we be able to have this reviewed this week? I appreciate this is short notice, however I'm going on holiday next week and would like to have this checked over by someone in the CNPA planning team to ensure we have captured everything before I go.

Many thanks,

Iram

Iram Mohammed BSc (Hons) MRTPI
Senior Planning Consultant
Water & Environment

ATKINS

75 years of design, engineering and project management excellence

200 Broomielaw, Glasgow, Scotland, G1 4RU
Direct Line: +44 (0) 141 220 2291
Tel: +44 (0) 141 220 2000
Fax: +44 (0) 141 220 2001
Mobile: +44 (0)7812589212

Email: Iram.Mohammed@atkinsglobal.com | Website: www.atkinsglobal.com
Twitter: <http://www.twitter.com/atkinsglobal> | Facebook: www.facebook.com/atkinsglobal |
LinkedIn: <http://www.linkedin.com/company/atkins> | YouTube: <http://www.youtube.com/wsatkinsplc>

To: Meeting with CNPA and SNH

From: NA **Email:** NA

Phone: NA **Date:** 18 January 2013

Ref: **cc:**

Subject: A9 Kincaig to Dalraddy - Planning Policy Review

Please see Appendix 7 for minutes of meeting.

To: Atkins

From: Highland Council **Email:** Correspondence from Highland Council to Atkins

Phone: NA **Date:** 18 January 2013

Ref: **cc:**

Subject: A9 Kincaig to Dalraddy - Planning Policy Review

COMMENTS ON PROPOSED A9 DUALLING KINCRAIG TO DALRADDY

The following comments are based on the provisions of the Development Plan. This consists of the Highland Structure Plan 2001 and the Cairngorms National Park Local Plan 2010.

Relevant Policies of the Structure Plan appear to be:

- G1 Conformity with Strategy
- G2 Design for Sustainability
- N1 Nature Conservation
- L4 Landscape character
- TC1 Modal shift
- TC12 Passenger rail improvements

Relevant Policies of the Local Plan appear to be:

- 1 Natura 2000 Sites
- 2 National Natural Heritage Designations
- 3 Other Important Natural and Earth Heritage Sites and Interests
- 4 Protected Species
- 6 Landscape
- 12 Water Resources
- 16 Design Standards for Development
- 29 Integrated and Sustainable Transport Network
- 34 Outdoor Access

The scheme involves the construction of several km of new carriageway from a point just north of the bridge carrying the A9 over the road leading from the B9152 to the Highland Wildlife Park and Meadowside Quarry to a point approximately 400 metres north of the Allt na Fhearna bridge, to create a length of dual carriageway with tapers connecting back into single carriageway at both ends.

The widening of the road is to the west of the existing carriageway between the south end of the project and the Dunachton Burn underpass, between the underpass and the Leault Farm access road the widening slews across the existing carriageway and from Leault Farm road northwards the widening is to the east of the existing carriageway.

The scheme incorporates access underpasses at Dunachton Burn, Baldow Smiddy, Lower Milehead an Allt na Fhearna accommodating vehicle and pedestrian traffic across the road but all other crossing opportunities would be closed. Direct access to/exit from the northbound carriageway only would be provided at Leault Farm and Alvie House.

Although the proposal is not specified in the Structure Plan it is referred to in the current Council administration's programme and in principle would accord with SP G1 which supports developments which promote and enhance the social economic and environmental wellbeing of the people of

Highland. This is qualified by having regard to the Plan's sustainable objectives, which are primarily set out in SP G2 and dealt with in some topic-specific greater detail in N1, L4, TC1 and TC12. Natural heritage, landscape, water quality and transport/general sustainability issues are also the subject of Policies in the Local Plan.

Sustainability criteria of relevance to the project in G2 include:

- Accessibility by public transport, cycling and walking as well as by car
- Impact on individual and community residential amenity
- Impact on habitats, species, landscape, scenery, freshwater systems and air quality.

Sustainability criteria of relevance in LP 16 include:

- Minimising the effect of the development on climate change
- Reduce the need to travel
- Protect amenity enjoyed by neighbouring properties and help create environments which can be enjoyed by everyone.

Access and transport issues for consideration

Potential negative effects of the scheme include increased noise and air pollution from increased and faster traffic; encouragement of modal shift from rail to road as a consequence of reduced road journey times; increased quarry and coach traffic southbound on the B9152; impaired access between the B9152 and facilities and premises west of the A9.

On the issue of noise and air pollution, only Dunachton Lodge appears likely to be at all affected south of the slew, but to the north of the slew a significant number of properties in Kinraig could be affected including Alvie Primary School. Justification of the choice of widening to the east side would be expected; if the choice is confirmed noise mitigation measures should be incorporated.

On the issue of encouragement of modal shift, SP TC12 prioritises reduced journey times between Inverness and Edinburgh and reduced rail journey times generally on the Highland rail network are mentioned in the administration's programme. This project alone has the potential to reduce road journey times by up to 3 minutes. The Council would expect to see compensating reductions in all rail journey times on the Highland Main Line; it is recognised that this may more easily be defined in a whole route strategy with a programme for delivery of both A9 and Highland Main Line improvements but they should be delivered together.

On the issue of increased vehicle use of the B9152, it is observed that quarry traffic at Dalraddy and coach traffic at Leault (visiting the working sheepdogs demonstrations) takes direct access to the A9 in both directions, albeit it is a condition of the planning permission for the quarry that all traffic cross the A9 and use the B9152. Clearly this behaviour is a pragmatic response by users to the geometry of the B9152. The project appears to make it impossible for quarry and Leault traffic from the north or to the south to gain access to the A9 without a lengthy deviation over the B9152.

On the issue of impaired access, the underpasses make the A9 relatively permeable for safe active travel and no core paths would be adversely affected, but there would appear to be no easy means of active travel access between Leault Farm and the B9152. The working sheepdogs demonstrations are an unusual and innovative tourist attraction established now for nearly two decades and reducing its accessibility to individual visitors travelling on foot, by cycle or service buses (which use the B9152), and disrupting the farm's established linkage to the Kinraig community, would not accord with SP G2.

Landscape issues for consideration

The road itself is unlikely to have a significant adverse impact on the landscape except at its southern end, where the earthworks west of the existing carriageway risk making the quarry at Meadowside more visible from the far side of the strath.

Natural heritage issues for consideration

The Dunachton Burn is part of a Special Area of Conservation. Protection of its qualifying interests will require care in the design and construction management of the underpass and the road widening in its immediate vicinity.

All watercourse crossings whether designated or not should be surveyed for otters.

The area of new embankment north of the Allt na Fhearna and east of the existing carriageway is part of the Alvie SSSI. Again, care in the design and construction management of the underpass and the road widening in its immediate vicinity will be necessary to protect the notified features of the site.

The project will result in the removal of extensive areas of woodland of ancient and semi natural character or long established plantation origin. These are "other important natural and earth heritage interests" mentioned in LP 3. As well as being important interests in their own right as woodlands, the species of trees affected have the potential to host red squirrel dreys and bat roosts. Both are protected species within the scope of LP 4.

Other issues for consideration/explanation

The corridor of the Dunachton Burn, and the area of widened embankment north of the Allt na Fhearna culvert, are shown as areas of medium to high flood risk in the SEPA flood maps. A flood risk assessment should inform the design of the project particularly in the latter case where the embankment has the potential to displace flood storage capacity.

The abandonment of previous proposals for 2+1 widening of this section of the A9 in favour of dualling is part of a wider strategy based in part on public perceptions that changes from single to dual carriageway are confusing for road users. The project will result in northbound drivers using an overtaking section provided by a previous 2+1 scheme at Balavil being confronted with a very short length of single carriageway before the start of the dual carriageway. Have the safety implications of this rapid switch from 2 lanes to 1 lane then 2 lanes again for northbound traffic been assessed.

Conclusions

While there are no objections to the principle of dualling this section of the A9, its potential impacts are significantly greater than those of the 2+1 scheme which involved no new land take or structures and offered more limited journey time enhancements. A significantly greater degree of survey, justification and mitigation seems necessary if the tests of the various relevant Policies of the Development Plan are to be satisfied.

Appendix 1: SEPA

Our ref: PCS/125119

Your ref:

Rory Gunn
Atkins

By email only to: Rory.Gunn@atkinsglobal.com

If telephoning ask for: Cerian Baldwin

6 March 2013

Dear Mr Gunn

Roads (Scotland) Act 1984 A9 Dualling - Scoping of EIA for Kinraig to Dalraddy Section

Thank you for meeting with SEPA on the 21 February 2013 and giving us the opportunity to comment on the initial designs for the above section of the A9 dualling.

We previously provided comments on the original proposal to widen the road in 2007, however, our remit has widened significantly since then. As discussed, please find our detailed comments below. We have also included generic advice and references to guidance documents, which you may already be aware of, in order to ensure we have covered all the issues now within our remit.

Given the stage of the Environmental Impact Assessment, we hope that many of these issues have already been addressed. Please do not hesitate to contact us should you have any queries or require further clarification on any of the issues. As highlighted at the meeting we would be keen to see any draft assessments or Environmental Statement (ES) chapters so that any issues can be flagged up and addressed early in the process.

For the avoidance of doubt please be aware that our advice at this stage is based on emerging proposals and we cannot rule out potential further information requests as the project develops. Similarly, our advice is given without prejudice to our formal roads order response, or any decision made on elements of the proposal regulated by us, which may take into account factors not considered at the pre-application or roads order stage.

We have also made several references to the opportunity to agree guiding principles in terms of the design of watercourse crossings, surface water drainage and pollution prevention measures at this early stage which could inform later sections of the dualling. There may be opportunities to widen the scope of this to other issues within our remit, for example through the Strategic Flood Risk Assessment work or assessment and mitigation of impacts upon groundwater or wetlands. This maybe something which could be developed through the Strategic Environmental Assessment work, but informed by these early stages on the dualling. We would welcome the opportunity to discuss how to take this forward with Transport Scotland, to whom this response it directly copied to.

Flood risk

The development proposals should be assessed for flood risk from all sources in line with Scottish Planning Policy (Paragraphs 196-211). Scottish Planning Policy states in Paragraph 203, that "For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year. Development on the functional flood plain will not only be at risk itself, but will add to the risk elsewhere." Built development should not therefore take place on the functional flood plain.

Scottish Planning Policy provides guidelines and policies covering development in areas identified to be at risk of flooding under the "Risk Framework". It states that "Exceptions may arise if a location is essential for operational reasons, e.g. for navigation and water based recreation uses, agriculture, transport or some utilities infrastructure and an alternative lower risk location is not achievable. Such infrastructure should be designed and constructed to remain operational during floods. This should provide guiding principles for the design of the road.

We understand that detailed Flood Risk Assessments are proposed for each watercourse crossing for this scheme. They should also consider any requirements for compensatory storage should the proposals result in any loss of functional flood plain. We understand that separate to this process a Strategic Flood Risk Assessment is being undertaken for the whole scheme which will inform how later stages of the project are assessed in terms of flood risk. We have provided separate advice on this directly to Halcrow.

In terms of this specific scheme and the Indicative River & Coastal Flood Map (Scotland), we note that there are no areas of fluvial floodplain impacted by the road, apart from two watercourses that are already culverted under the existing road. We appreciate that you have yet to finalise the design of any replacement or new crossings. We would expect that where existing crossings need to be extended or replaced that the capacity of these should be retained at the existing size as a minimum with consideration of any nearby sensitive receptors.

Any Flood Risk Assessment should be carried out following the guidance set out in the Annex to the SEPA-Planning Authority flood risk protocol. Our Technical flood risk guidance for stakeholders outlines the information we require to be submitted as part of a Flood Risk Assessment, and methodologies that may be appropriate for hydrological and hydraulic modelling. Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning__flooding/fra_checklist.aspx.

During the meeting we noted your query regarding compensatory storage where works will impact upon the capacity of the functional flood plain. We would expect this to be assessed by way of each Flood Risk Assessment in line with the SEPA Technical Guidance document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/planning__flooding.aspx.

We would also expect the forthcoming Flood Risk Assessments to consider the impact of the construction phases and temporary structures which may be needed during the works. All non essential equipment and storage of materials should be kept out with the functional floodplain and this should be detailed within the Flood Risk Assessments.

In addition please note that our preference is for surface water drainage devices to be located outwith the functional floodplain. Section 4.12 of our Planning advice on sustainable drainage systems (SUDS) states "SUDS can be accommodated on the functional flood plain only if they do not alter floodplain storage or functionality. In some cases, a flood risk assessment may be required to demonstrate this. If a pond, for example, is placed in the flood plain it may have a bund around it to protect it from inundation. Compensatory flood storage would have to be provided to cover any losses in flood storage due to the bunding. If no bund is provided, then flooding is likely to reach the SUDS. It is important that this will occur only for situations where no other alternative arrangements are possible and not within at least the 30 year return period flood level."

The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Atkins in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning__flooding.aspx.

Engineering activities in the water environment

We note the proposals to extend or replace existing watercourse crossings along with possible new watercourse crossings in some locations. As you are aware, these would be subject to control under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). In order for us to advise on the likely consentability of the proposal the below information would need to be included within the Environmental Statement.

As discussed at meeting we would welcome it if you could develop some guiding principles or guidance document which sets out the types of watercourse crossings you feel would be appropriate for different watercourse sizes or natures. Whilst there maybe some site specific constraints or flood risk issues which require a site specific solution it would be good to agree general guiding principles from the outset to reduce the need for discussions on every single watercourse crossing along the scheme length. This work should also take cognisance of the above Strategic Flood Risk Assessment work in terms of the levels of assessment required for different crossings.

To assist you in meeting CAR requirements, you should refer/adhere to guidance available on our website. WAT-SG-25 Good Practice Guide – River Crossings details the types of crossing available in order of increasing environmental impact. As previously stated, our preferred option is for bridges or bottomless/arched culverts to minimise environmental impact wherever possible. Where pipe or boxed culverts are used these should be at least the same width as the natural active channel, with the base buried to allow a naturalised bed. Should you choose an option which would have a greater environmental impact, this need to be justified within the Environmental Statement.

A site survey of existing water features and crossings and a map of the location of all proposed engineering activities in the water environment should be included in the Environmental Statement. A systematic table detailing the justification for the activity and how any adverse impact will be mitigated should also be included. The table should be accompanied by a photograph of each affected water body along with its dimensions.

Any surveys should take cognisance of the local area River Basin Management Plan which details measures proposed to improve the status of water bodies in line with the requirements of the Water Framework Directive. We hold data on the current status of water bodies with a catchment of 3 square km or greater and this can be acquired via our Science.Advice@sepa.org.uk mailbox.

For large watercourse crossings or watercourse diversions a hydrogeomorphological assessment may be required to assess scour or erosion impacts. This will also need to detail how the proposals will mitigate impacts upon the watercourse. Please refer to the above guidance for when this may be required.

Where developments cover a large area, there will usually be opportunities to incorporate improvements in the water environment required by the Water Framework Directive within and/or immediately adjacent to the site either as part of mitigation measures for proposed works or as compensation for environmental impact. The River Basin Management Plan sets out proposals to improve watercourses and the proposed development should take cognisance of these proposals. An interactive map and specific water body data sheets were produced as part of the River Basin Management Plan. These give information about an individual water body's ecological status/potential in 2008, details of any pressures upon the water body, measures being taken to resolve any issues and targets for any improvement needed. Individual data sheets have not been prepared for smaller (non-baseline) water bodies, however, in line with the requirements of the Water Framework Directive small water bodies should be protected and improved as appropriate and should be considered within the proposals.

We encourage applicants to seek such opportunities to avoid or offset environmental impacts. Improvements which might be considered could include the removal of redundant structures, the creation of buffer strips and provision of fencing along watercourses. Fencing off watercourses and creating buffer strips both helps reduce the risk of diffuse water pollution and affords protection to the riparian habitat. We also note that the existing carriageway may require significant upgrading including the replacement of some crossings. Where this is the case the opportunities to improve the crossings should be considered. For example changing from a box culvert to a bottomless culvert.

Please note that while we are aware of the budgetary constraints associated with this type of development, you should be aware that we view the most cost-effective solution as the one that minimises environmental harm or maximises environmental benefit at a proportionate cost. In itself, a large absolute cost does not constitute disproportionate cost. For example, incurring significant costs to prevent significant environmental harm or achieve significant environmental gain would be considered proportionate. But incurring significant cost for minor environmental gain would be considered disproportionate and therefore not cost-effective.

Further guidance on the design and implementation of crossings can be found in our Construction of River Crossings Good Practice Guide. Other best practice guidance is also available within the water engineering and regulation sections of our website.

Please also refer to WAT-RM-02: Regulation of Engineering Activities which sets out in detail the process for determining an engineering authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR).

We also recommend that you discuss your proposals with the relevant Fisheries Board or Trust as they will have important information relating to the best timing of works, the presence of different species and any existing fish barriers or problem areas which could be addressed as part of the works. If they do not hold the required information then survey work will be required.

In terms of the best way to approach the CAR application process you can submit one single application for the whole road section or individual applications for each crossing, dependant on the levels of authorisation dictated in the Practical Guide to the Water Environment. The disadvantage of one single application would be that should a single element prove to be problematic this would hold up the determination of the other elements as it all falls under one licence.

Surface water drainage.

We welcome the proposal to implement two levels of sustainable drainage systems for the road (SUDS). This requirement would also apply to any construction compounds, temporary areas of hardstanding or temporary roads required to enable the continuity of the A9 during construction.

For the avoidance of doubt, the treatment of surface water runoff by sustainable drainage systems (SUDS) is a legal requirement for most forms of development. We encourage surface water runoff from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 209), PAN 61 Planning and Sustainable Urban Drainage Systems and PAN 79 Water and Drainage.

It is important to ensure that adequate space to accommodate SUDS is incorporated within the site layout. This should include both construction and operational SUDS should they be separate systems. Consideration should be given to this matter early in the planning process when proposals are at their most fluid and modifications to layout can be easily made with less expense to the developer. Each individual type of SUDS facility, such as a filter drain, detention basin, permeable paving or swale, provides one level of surface water treatment. The SUDS treatment train should be followed which uses a logical sequence of SUDS facilities in series allowing run-off to pass through several different SUDS before reaching the receiving waterbody. SUDS devices should not be located on any existing wetland areas as identified through the Phase 1 habitat survey detailed below.

As agreed we would expect a minimum of two levels of treatment however where a section of road is close to a designated site it may require additional levels of treatment to be agreed with Scottish Natural Heritage and may be determined by the available dilution of the receiving waterbody.

Whilst this may only be an issue during construction, please note that run-off from areas subject to particularly high pollution risk (eg yard areas, service bays, fuelling areas, pressure washing areas, oil or chemical storage, handling and delivery areas) should be minimised and directed to the foul sewer, if possible. Where run-off from high risk areas cannot be directed to the foul sewer we can, on request, provide further site specific advice on what would be the best environmental solution.

Further guidance on the design of SUDS systems and appropriate levels of treatment can be found in CIRIA's C697 manual entitled The SUDS Manual. Advice can also be found in the SEPA Guidance Note Planning advice on sustainable drainage systems (SUDS). Please refer to the SUDS section of our website for details of regulatory requirements for surface water and SUDS. For technical guidance on SUDS techniques and treatment for roads please refer to the SUDS for Roads manual.

SUDS must be used on all aspects of the development, including any areas with elevated levels of contaminants. SUDS which use infiltration will not be suitable where infiltration is through land containing contaminants which are likely to be mobilised into surface water or groundwater. This can be overcome by restricting infiltration to areas which are not affected by contamination, or constructing SUDS with an impermeable base layer to separate the surface water drainage system from the contaminated area. SUDS which do not use infiltration are still effective at treating and attenuating surface water. Please refer to the advice note on SUDS and brownfield sites for further information.

We note your query regarding the using of filter drains with a permeable liner. Provided that all surface water is still subject to two levels of treatment and groundwater is at least 1m below the level of the discharge point then we would not object to this being used. Please note that groundwater should be measured to the seasonally highest water table in winter.

We note that you are keen to develop a standardised approach to SUDS for the whole scheme so this first road section may set some guiding principles. We recommend that you develop a standardised approach which sets out different SUDS devices available and flags up sensitivities, such as designated sites, which may require extra levels of treatment. We would welcome the opportunity to comment on any draft guiding principles.

Please note we will not provide comments on the quantity aspects of SUDS. Comments should be sought from the local authority roads department and the local authority flood prevention unit on the acceptability of post-development runoff rates for flood control. Zoe Smith (zoe.smith@highland.gov.uk) may be a good first contact to ascertain any requirements from Highland Council. Please note our comments in Section 1.8 above.

Again in terms of the best way to approach the CAR application process you can submit one single application for the whole road section or individual applications for each SUDS discharge dependant on the levels of authorisation dictated in the Practical Guide to the Water Environment. The disadvantage of one single application would be that should a single element prove to be problematic this would hold up the determination of the other elements as it all falls under one licence.

Existing groundwater abstractions

It is important that any private or public water supplies (e.g. springs, boreholes, wells) are considered within the Environmental Statement. Roads, cuttings, foundations and other construction works associated with large scale developments can disrupt groundwater flow and impact on groundwater abstractions. To address this risk a list of groundwater abstractions both within and outwith the site boundary needs to be drawn up and a risk assessment of possible impacts carried out. Table 1 of our regulatory method statement WAT-RM-11 Licensing Groundwater Abstractions and Dewatering will help you to identify the radius of the risk assessment. Any water feature within the survey radius should be assessed. We would expect that most of the dewatering associated with the A9 would be <500 m³/d and therefore a 850 m assessment radius. However ground investigations should be carried out to determine the position of the seasonally highest water table and required volume of dewatering. Further comments on dewatering are made below.

Contaminated land

We also note that ground investigations may be undertaken where the risks of contaminated made ground are considered highest in order to apply appropriated remediation and mitigation measures. Any development works in the subsurface where contaminants exist may remobilise contaminants allowing them to migrate to the groundwater resource. In addition changes to groundwater flow can divert pollution towards receptors previously not at risk.

Where contaminated land is identified the Environmental Health department should be consulted in order to ensure that a ground investigation and subsequent remediation (where necessary) is carried out in order to ensure minimal risk to the groundwater environment. Any development works in the subsurface where contaminants exist may remobilise contaminants allowing them to migrate to the groundwater resource.

Dewatering

Due to the number of excavations and cuttings it may be that dewatering is required. It should be noted that if any temporary groundwater abstractions or dewatering is required, all sensitive receptors should be identified and appropriately assessed. Details should be provided of how any dewatering will be managed along with the proposed abstraction volumes and measures that will be taken to minimise any risks to identified receptors.

We note that you already have historic groundwater investigation data but are unable to update this until after the Environmental Statement is submitted due to timing constraints. The Environmental Statement should demonstrate what the seasonally highest water table is and what appropriate mitigation is achievable within the development footprint.

Where it is considered that dewatering is likely to be required, the Environmental Statement should contain the following information to determine how the dewatering will be managed;

- Source eg ground water or surface water;
- Location eg grid ref and description of site;
- Volume eg quantity of water to be extracted;
- Timing of abstraction eg will there be a continuous abstraction;
- Nature of abstraction eg sump or impoundment;
- Proposed operating regime eg details of abstraction limits and hands off flow;
- Survey of existing water environment including any existing water features;
- Impacts of the proposed abstraction upon the surrounding water environment.

If other development projects are present or proposed within the same water catchment then we advise that you consider whether the cumulative impact upon the water environment needs to be assessed. The Environmental Statement should also contain a justification for the approach taken.

Again in terms of the best way to approach the CAR application process you can submit one single application for the whole road section or individual applications for each dewatering activity dependant on the levels of authorisation dictated in the Practical Guide to the Water Environment. The disadvantage of one single application would be that should a single element prove to be problematic this would hold up the determination of the other elements as it all falls under one licence. Please note that for some dewatering activities an authorisation may only be required for one year as the water table modifies to the new permanent site conditions. After the completion of construction and stabilising of water table the abstraction can effectively become man made land drainage

Disruption to wetlands including peatlands

A Phase 1 habitat survey should be carried out for some sections of the development area and the guidance A Functional Wetland Typology for Scotland, should be used to help identify all wetland areas; we note on Drawing 5094672/0500/009 that it is likely that the scheme could impact upon a spring or flush. National Vegetation Classification should be completed for any wetlands identified. Results of these findings should be submitted, including a map with all the proposed infrastructure overlain on the vegetation maps to clearly show which areas will be impacted and avoided.

Groundwater dependent terrestrial ecosystems, which are types of wetland, are specifically protected under the Water Framework Directive. The results of the National Vegetation Classification survey and Appendix 2 (which is also applicable to other types of developments) of our Planning guidance on windfarm developments should be used to identify if wetlands are groundwater dependent terrestrial ecosystems.

In order to determine which areas will require a Phase 1 habitat survey, it would be best to use Land Cover Map 2007/LCM2010 to identify areas of disturbed ground. These will be areas which are urbanised, used for arable agriculture or commercial forestry. These areas can then be excluded from the Phase 1 survey areas. Railway embankments can also be excluded from the survey zone.

For some stretches of the A9, there is other linear infrastructure which runs alongside of the road e.g. trainline. Areas between the A9 route and the existing infrastructure will potentially need to be surveyed depending on what Land Use Cover map shows, but areas on the far side of the train track would not need to be surveyed (due to the existing linear infrastructure acting as a buffer between the road and the wetlands, negating the potential impact of the road). The same applies for any other developments such as housing or other built development areas between the road and the development will need to be surveyed.

All other areas within 100m either side of the road will require a Phase 1 survey, and followed with a National Vegetation Classification where wetlands are identified. The Scottish Wetland Inventory (which has been provided to Transport Scotland) can be used to inform areas which are currently lacking survey information.

Where a significant road cutting is proposed a larger survey area may be required. Again Table 1 of our regulatory method statement WAT-RM-11 Licensing Groundwater Abstractions and Dewatering will help you to identify the radius of any risk assessment. Any wetland within the survey radius should be assessed.

If infrastructure cannot be relocated outwith these buffer zones of these ecosystems then the likely impact on them will require further assessment. This assessment should be carried out if these ecosystems occur within or outwith the site boundary so that the full impacts on the proposals are assessed. The results of this assessment and necessary mitigation measures should be included in the ES.

For areas where avoidance is impossible, details of how impacts upon wetlands including peatlands are minimised and mitigated should be provided within the ES. In particular impacts that should be considered include those from drainage, pollution and waste management. This should include preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, dewatering, excavations, drainage channels, cable trenches, or the storage and re-use of excavated peat. Detailed information on waste management is required as detailed below. Any mitigation proposals should also be detailed within the Construction Environmental Management Document as detailed below.

Disturbance and re-use of excavated peat or soils

It seems unlikely that this section of the scheme will impact upon peatlands but it may involve the significant movement of soils. There are important waste management implications of measures to deal with surplus soils under The Waste Management Licensing (Scotland) Regulations 2011. A soils balance should be included within the Environmental Statement to demonstrate how excavated soils will be re-used on site and how any surplus soils will be dealt with. Appendix 1 contains an example table which could also provide a useful basis for setting out this information however we appreciate you may already have agreed methods for setting out this information.

Where material is to be exported off site this should be via a registered waste carrier and to an appropriately licensed or exempt site. We would also highlight that our "end of waste" position for recovered asphalt which is contained within our Guidance on production of fully recovered asphalt road planings.

Through the above Phase 1 habitat survey it should be apparent if any peat is present. If peat is indeed present then please refer to Appendix 1 of this letter which contains detailed advice on the information we would expect to be included within the Environmental Statement.

You may also need to import materials. It should be ensured that the relevant waste management exemptions under The Waste Management Licensing (Scotland) Regulations 2011 are in place for the re-use of certain materials, further information is available on our website. Guidance on the reuse of greenfield soils can be found within our guidance entitled Promoting the sustainable reuse of greenfield soils in construction.

Pollution prevention and environmental management

One of our key interests in relation to major developments is pollution prevention measures during the periods of construction (including cuttings, removal of forestry and temporary works), operation, maintenance, demolition and restoration. The construction phase includes construction of ancillary works, temporary roads any other site infrastructure.

We advise that you should, through the Environmental Impact Assessment process, systematically identify all aspects of site work that might impact upon the environment, potential pollution risks associated with the proposals and identify the principles of preventative measures and mitigation. This will establish a robust environmental management process for the development.

A draft Schedule of Mitigation and draft Environmental Management Plan should be included within the Environmental Statement. This should cover all the environmental sensitivities, pollution prevention and mitigation measures identified to avoid or minimise environmental effects. Details of the specific issues that we expect to be addressed are available on the Pollution Prevention and Environmental Management section of our website.

We also note that the existing carriageway will be upgraded and may involve the generation of significant quantities of waste materials. Details of how this will be managed should be included within the Environmental Statement.

We note that you are keen to develop a standardised approach Environmental Management Plan for the whole scheme so this first road section may set some guiding principles. It would also provide a useful link between the principles of development which need to be outlined at the early stages of the project and the method statements which are usually produced following award of contract (just before development commences).

Best practice advice developed by The Highland Council (in conjunction with industry and other key agencies) on the Construction Environmental Management Process is available in the guidance note Construction Environmental Management Process for Large Scale Projects.

Borrow pits

It is unclear whether any borrow pits are proposed as part of this proposal. Detailed investigations in relation to the need for and impact of such facilities should be contained in the ES. Where borrow pits are proposed, information should be provided regarding their location, size and nature. In particular, details of the proposed depth of the excavation compared to the actual topography and water table should be submitted. In addition details of the proposed restoration profile, proposed drainage and settlement traps, turf and overburden removal and storage for reinstatement should be submitted.

The impact of such facilities (including dust, blasting and impact on water) should be appraised as part of the overall impact of the scheme. Information should cover, in relation to water; at least the information set out in Planning Advice Note PAN 50 Controlling the Environmental Effects of Surface Mineral Workings (Paragraph 53). In relation to groundwater, information (Paragraph 52 of PAN 50) only needs to be provided where there is an abstraction or groundwater dependent terrestrial ecosystem within 250 m of the borrow pit. Additional information on groundwater is provided above.

Air quality

The local authority is the responsible authority for local air quality management under the Environment Act 1995, and therefore we recommend that Environmental Health within the local authority be consulted early in the process.

They can advise on the need for this development proposal to be assessed alongside other developments that could contribute to an increase in road traffic. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. Further guidance regarding these issues is provided in NSCA guidance (2006) entitled Development Control: Planning for Air Quality.

Please note that any proposals for the crushing or screening of materials or concrete batching will require a permit from us under The Pollution Prevention Control (Scotland) Regulations 2012 (PPC)

If you have any queries relating to this letter, please contact me by telephone on 01349 860415 or e-mail at planning.dingwall@sepa.org.uk.

Yours sincerely

Cerian Baldwin
Senior Planning Officer
Planning Service

Copy to: Jo.Blewett@transportscotland.gsi.gov.uk; Drew.Hill@transportscotland.gsi.gov.uk;

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. Further information on our consultation arrangements generally can be found in How and when to consult SEPA, and on flood risk specifically in the SEPA-Planning Authority Protocol.

Appendix 1: Peat Management (if applicable)

Disturbance and re-use of excavated peat

Where the proposed infrastructure will impact upon peatlands, it is now best practice for developers to produce a Peat Management Plan within the Environmental Statement which sets out the principles as to how any surplus peat will be managed within the site. It is important this is done prior to the application gaining consent to ensure all opportunities to minimise peat disturbance are considered within the site design and that acceptable proposals to re-use the surplus peat can be accommodated within the site layout without significant environmental impact.

The Peat Management Plan can then form a basis for any detailed peat management proposals required within the Environmental Management Plan. The Peat Management Plan should include:

A detailed map of peat depths (this must be to full depth) with all the built elements overlain so it can clearly be seen how the development avoids areas of deep peat. The peat depth survey should include details of the basic peatland characteristics, including a break down of acrotelmic, catotelmic and amorphous peat. This information is often already required as part of any peat slide risk assessment. A table showing where surplus peat will be generated and what the quantities will be.

A table showing what quantity of this surplus peat will catotelmic and what quantity will be acrotelmic;

A map showing where any temporary peat storage areas will be located and how these storage areas along with any associated access roads avoid any watercourses, groundwater dependant terrestrial ecosystems or other sensitive areas. In addition details of how the storage areas will be constructed, calculations demonstrating the need for these storage areas, how thick the peat will be stored, what types of peat will be stored and the peat maintained fit for re-use should be submitted. This information may also be of interest to geotechnical engineers assessing the peat stability proposals. Please note that any soils or peat stored for greater than 3 years will require a permit under The Landfill (Scotland) Regulations 2003.

A table showing where the principles of where catotelmic peat will be re-used and approximately how much will be re-used including details of width and thickness;

A table showing where the principles of where acrotelmic peat will be re-used and approximately how much will be re-used including details of width and thickness;

We would expect all these proposals to be in accordance with Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste and our Regulatory Position Statement – Developments on Peat.

An example of a peat/soils balance table is enclosed in Appendix 1 of this letter however this is just an example and the developer may have a better way of illustrating the required peat information. The use of a table often illustrates where further peat minimisation is necessary and where best to re-use any surplus peat.

In our experience there a number of common issues which we often query within Peat Management Plans. Some of these may not be directly applicable to the dualling of A9 but the principles would still apply and therefore we wish to take the opportunity to highlight these below so that they can be addressed if a Peat Management Plan is required.

Any proposals for road shoulders should follow the best practice guidance detailed in Pages 14 and 15 of the Scottish Renewables Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste, Page 27 of the Scottish Natural Heritage (SNH) and Forestry Commission (FCS) Floating Roads on Peat guidance and Pages 38 and 39 of SEPA, SNH and Scottish Renewables and FCS

guidance Good practice during windfarm construction. Please note that only fibrous peat is likely to be suitable for battering road verges. Any landscaping or road batters should be limited to the areas of ground already disturbed.

Where peat is re-used details of how the hydrology and drainage will be managed to maintain the peat integrity should be detailed. For example how will peat turves be used, how will hydrology be maintained to prevent drying out and subsequent oxidation.

By adopting an approach of minimising disruption to peatland, the volume of excavated peat can be minimised and the commonly experienced difficulties in dealing with surplus peat reduced. The generation of surplus peat is a difficult area which needs to be addressed from the outset given the limited scope for re-use.

There are important waste management implications of measures to deal with surplus peat as set out within our Regulatory Position Statement - Developments on Peat. Landscaping with surplus peat (or soil) may not be of ecological benefit and consequently a waste management exemption may not apply. In addition we consider disposal of significant depth of peat as being landfilled waste, and this again may not be consentable under our regulatory regimes. Experience has shown that peat used as cover can suffer from significant drying and oxidation, and that peat redeposited at depth can lose structure and create a hazard when the stability of the material deteriorates. This creates a risk to people who may enter such areas or through the possibility of peat slide and we are aware that barbed-wire fencing has been erected around some sites in response to such risks.

It is therefore essential that the scope for minimising the extraction of peat is explored and alternative options identified that minimise risk in terms of carbon release, human health and environmental impact. Early discussion of proposals with us is essential, and an overall approach of minimisation of peatland disruption should be adopted. If it is proposed to use some excavated peat within borrow pits or bunding then details of the proposals, including depth of peat and how the hydrology of the peat will be maintained, should be outlined in the Environmental Statement.

Our Planning and Energy webpage provides links to current best practice guidance on peat survey, excavation and management.

Example Peat/Soils Balance Table Example

		New road	Hardstandings	Borrow pit A	Borrow Pit B	Construction compound A	Construction compound B	Ancillary Works	Total
Excavation	Plan area								
	Depth of acrotelm excavated								
	Depth of catotelm excavated								
	Volume of Acrotelm excavated								
	Volume of Catotelm excavated								
	Total excavation/ volume								
Re-Use Requirement	Length or depth								
	X-area or plan area								
	Total Volume								

Construction Re-use/ Reinstatement	Acrotelm re-used inc width and depth								
	Catotelm re-used inc width and depth								
	Total initial re-use								
Temporary storage	Acrotelm stored								
	Catotelm stored								
	Total stored								
Final re-use	Acrotelm re-used inc width and depth								
	Catotelm re-used inc width and depth								
	Total initial re-use								
Balance	Acrotelm balance								
	Catotelm balance								
	Overall balance								

Appendix 2: Meeting with Historic Scotland

Meeting Location	Historic Scotland Longmore House, Salisbury Place, Edinburgh	Client	Transport Scotland
Meeting Date/Time	27 February 2013	Project	A9 Dualling - Luncarty to Pass of Birnam and Kinraig to Dalraddy
Subject	Historic Scotland Consultation	Project No.	B1557602
Participants	Historic Scotland (HS) Adele Shaw (AS) Transport Scotland (TS) Paul Reid (PR) Jacobs (JUK) Alan Gillies (AG) Jonathan Dempsey (JD) Atkins Rory Gunn (RG)	Notes Prepared By	Jacobs and Atkins
		File	
No.	Notes	Action	
1	Introduction		
1.1	Introductions around table. PR introduced the overall A9 Dualling Perth to Inverness scheme and the associated timelines. PR noted that two schemes, namely the A9 Kinraig to Dalraddy and the A9 Luncarty to Pass of Birnam projects were more advanced. The purpose of this meeting was to provide HS a summary of these schemes including key heritage issues, an overview of ES programme and the scope of Stage 3 assessment.		
2.	Kinraig to Dalraddy		

<p>2.1</p>	<p>Summary of scheme including key heritage issues</p> <p>Atkins provided an overview of the proposed scheme and the high level programme, noting that this was a development of the previous S2+1 scheme previously consulted on.</p> <p>It was agreed that draft ES chapter and associated drawings would be provided to HS for information comment prior to publication of ES. Timing to be agreed with TS.</p> <p>Atkins identified the main heritage assets adjacent to the scheme noting that the proposed route avoids physical impacts on designated assets.</p> <p>HS noted proximity of SAM937 Dunachton Lodge Symbol Stone to the scheme and that it should be ensured this area is not used as a compound/lay-down area during construction. Atkins confirmed that the topography in this location did not lend itself to such use and that this area would not be included in the land made available for construction.</p> <p>Atkins advised that the scheme footprint should not impact on St Dronstan’s Chapel site any more than the existing A9 carriageway as all widening is to the west of the existing.</p> <p>Atkins noted that the site of Dunachton battlefield had been noted by the National Park Authority. HS provided a research paper regarding Dunachton Battlefield noting that the site of this may be in the Forfar area. Atkins to review and report within ES as necessary.</p> <p>Atkins noted that at present fieldwork had not been undertaken and the current timescales were such that it was likely the ES would be published before any fieldwork was/could be undertaken. Atkins suggested that the construction contract might include a watching brief during topsoil strip, HS to advise on expectations for fieldwork and suitability of topsoil strip monitoring during construction as an alternative.</p> <p>HS also noted that requirements of The Highland Council (THC) Archaeologist should be confirmed with respect to necessary fieldwork. Atkins confirmed that consultation with THC was taking place.</p> <p>Atkins to include the requirement for a watching brief within the GI contract.</p>	<p>Atkins</p> <p>Note</p> <p>Note</p> <p>Atkins</p> <p>Note</p> <p>HS</p> <p>Atkins</p> <p>Atkins</p>
------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------

2.2	<p>Overview of ES Programme</p> <p>Atkins advised stated that a public exhibition regarding the scheme was programmed for June 2013 as part of the wider A9 dualling consultation.</p> <p>Publication of Statutory Orders and associated ES is currently programmed for July 2013.</p>	Note
2.3	<p>Scope of Stage 3 Assessment</p> <p>Scope of assessment will be in line with that of the previous WS2+1 scheme, undertaken in accordance with DMRB with all chapters included.</p>	Note
3	<p>Luncarty to Pass of Birnam</p>	
3.1	<p>Summary of scheme including key heritage issues</p> <p>AG provided an overview of the proposed scheme and the high level programme to construction commencing in 2017. It was agreed that drawings showing the draft layout of the scheme would be provided to HS for information.</p> <p>JD identified the main heritage assets stating that with the exception of Murthly Castle Garden and Designed Landscape, the proposed route avoided physical impacts on designated assets. There may however be impacts on the setting of some designated assets.</p> <p>A number of impacts on know archaeological sites identified by the Perth and Kinross Historic Environment Record and the National Monuments Record of Scotland are predicted. These sites had been identified from aerial photographs and included enclosures, ring ditches and souterrains dating to the prehistoric period. In general the proposed route was impacting on the peripheries of these. The Stanley Tullybelton Junction may have a more substantial impact although the design of this was being reviewed.</p> <p>These sites also indicated that there was potential for unknown archaeological remains on which the scheme could have an impact.</p> <p>AS provided JUK a paper which summarised the results of additional research that Historic Scotland had undertaken on Murthly Castle after the publication of the Inventory of Gardens and Designed Landscapes. She suggested that JD contacted Julie Candy of HS should additional information be required.</p>	Jacobs

3.2	<p>Overview of ES Programme</p> <p>AG stated that a public exhibition confirming the preferred route would take place in June. It was envisaged that the publication of Statutory Orders and associated ES would be in December 2013/January 2014. Further public exhibitions would be held at the time of Order publication.</p>	
3.3	<p>Scope of Stage 3 Assessment</p> <p>JD stated that the assessment of the impact on cultural heritage assets would be undertaken based on the guidance provided by DMRB HA 208/07 'Cultural Heritage' and cultural heritage would be split into three sub-topics (archaeological remains, historic buildings and historic landscapes).</p> <p>To inform the baseline section of the cultural heritage chapter of the ES data will be gathered from a number of sources including the NMRS, Perth and Kinross HER, Ordnance survey and pre-Ordnance Survey mapping, aerial photographs and walkover survey. A desk-based survey report will be produced and this will form a technical appendix to the ES. It was agreed that a draft of this would be supplied to HS at the end of June to inform the assessment of impact and discussion on appropriate mitigation. JD noted that information on the heritage assets identified, and the route alignments will also be supplied to HS in a GIS compatible format. PR stated that TS was supportive of this approach and that they were exploring setting up a GIS for the A9 projects.</p> <p>JD stated that geophysical survey may be undertaken in selected areas to inform the assessment of significance of effect. This would however depend on crop cover and the results of the walkover survey.</p> <p>JD noted that JUK would be issuing the ES Scoping Report and Record of Determination to TS shortly. A copy of this would be issued to HS by TS in due course.</p>	<p>Jacobs Jacobs</p>
3.4	<p>Ground Investigation Contract</p> <p>AG noted that the contract for undertaking the ground investigation (GI) was about to be awarded, with site works likely to commence around the middle of March 2013. A watching brief on the geotechnical trial pits will be undertaken; the requirement for this has been agreed with Rod McCullagh (HS) and a specification for the watching brief inserted into the GI contract. The GI contractor will employ the archaeologist; Jacobs will have oversight of this</p>	
4	<p>AOB</p>	

4.1	In response to a query from JD, AS stated that given their role as heritage advisors to TS on trunk road schemes discussion of heritage impacts of the A9 should be held with HS rather than the local planning authorities archaeological advisors. The latter should be kept informed.	
5	Date of next meeting	
5.1	No meeting arranged.	

Appendix 3: Landscape

A9 widening from Kinraig to Dalraddy

Landscape considerations

The proposal to widen the existing A9 from two lanes to three, using alternate overtaking lanes, will have an impact upon the landscape. There are several issues that need to be addressed within the design of the scheme.

In general, the extension of the road on only the south east side will limit the impact but it will create a 'one sided' effect upon the landscape that will take several years to heal. The existing roadside planting broadly reflects the surrounding areas in that more open parts at either end of the scheme have relatively little planting and broadly merge into their surrounding fields. The central portion of the scheme has mature pine woodland on either side of the road and here the embankments have been planted with Scots pine. These appear to be approximately 10-15 years old. This planting has been severely affected by salt spray and most of their lower branches have been burnt by the spray. Where the embankments are particularly high the salt spray damage has only occurred to trees on the lower slopes. The planting has however shielded areas further back from the salt spray damage.

The following comments are taken in order running from the north southwards.

Chainage points 3+700 – 3+500

The changes to the carriageway and the surrounding area will obviously be very clear to users of the road. The impact of widening here will be limited from the south because the height of the embankment will effectively screen the development. From western side of the carriage way the effect will be visible but short lived as grassland should re-established quickly following reinstatement.

The excavation of the cutting here will remove all existing vegetation which is an attractive grassland. It contains various plants of interest including greater butterfly orchid. The area should have turf carefully removed and stored to one side (without stacking) for reinstatement once the works have been completed. Top soil should be stripped separately for reuse under the turf. It should be loosely stored in heaps less than 2.0m high and not treated with herbicide. In this area mass tree planting is undesirable and so individual groups should be planted in tall tree tubes to minimise deer and rabbit damage.

Chainage points 3+500 – 1+900

Where the road runs through the pine plantation the existing cutting has young trees growing. Clearly the south eastern side will be cleared of all these trees leaving quite an empty gap. Extending the carriage way towards the fence line will allow the salt spray to drift onto land on this side of the road. Some will encroach into areas of high-value, maturing pine woodland and areas within the ancient woodland classification. Some way of limiting this is recommended by a combination of tree planting or possibly a physical barrier fixed to the fence line such as Hessian.

Replanting in this area is desirable and this should be a mixture of local origin Scots pine, birch, aspen and rowan. The objectives for the new planting are to blend with the existing pinewoods and to survive the effects of the salt spray. To this end a graduated mix should be planted with the pine towards the top of slopes or furthest away from the road and the broadleaves planted nearer the road itself. All trees would benefit from tubes during establishment as these will protect from salt spray damage and from grazing. Additional planting of birch, rowan and aspen on the opposite side will balance the effect of the new mix and create greater biodiversity.

Chainage 1+900 – 0m

The southern portion of the proposal is the hardest to manage in landscape terms. Here the road cutting is shallower and the natural undulations of the surrounding land are smaller. Currently, the road and traffic are visible periodically as vehicles appear and disappear behind the natural mounding. The consequence of widening the road on the south eastern side means that the existing landform will be much reduced and consequently the traffic will be considerably more visible. Unfortunately this occurs where the road is closest to the village of Kinraig and in particular the new housing on the northern side of the village. It is likely that there will be a big increase in the impact of the road upon this community.

It would be beneficial to re-align the road widening so that excavation is undertaken on the opposite side of the road. In this way, not only does the existing screening from the landform remain intact, but the road comes no closer to the village. Along this section it would be undesirable to densely plant the verges with trees as this would create an unnatural tall 'hedge' effect along the road. The exception to this is between 1+900 and 1+700 where there is a low scrub of deciduous trees growing adjacent to the roadside. Stone dyking is common in the area and this could be used to good effect by adding to the character of the area and as an effective screen to the village. Combined with the additional groups of planting in carefully sited locations the additional effect of widening the road upon the community would be minimal.

As a general principle all planting should be undertaken with local origin, native trees.

Ecological considerations

Increasing barrier/sink effect of road to wildlife

As the road would become wider to accommodate an overtaking lane, and it is likely that average vehicle speed will increase on the widened stretch, there is a real risk of an increasing barrier and sink effect of the road to wildlife, especially mammals and amphibians. The barrier effect comes as animals become reluctant to cross a wide stretch of ground which is devoid of cover and which supports noisy and fast-moving traffic. The sink effect is brought about by animals overcoming their reluctance to cross but being killed on the road by traffic. Vehicles travelling at higher speeds are less likely to be able to avoid wildlife running onto the road. Deer fencing with low level mesh should be instated or maintained along the length of the road corridor in order to reduce the likelihood of collision with medium sized and large mammals. The line of deer fencing should extend beyond the proposed 3.7 km length, particularly beyond forested areas. This could extend beyond the southern extent of the stretch proposed for widening by 100 m and be extended to the modified junction access at Dalraddy. Existing culverts and underpasses should be adapted to make them as attractive as possible to dispersing wildlife. The culvert/underpass for the Leault Burn, 300m north of the southern-most extent of the works area, is well designed to allow the passage of wild mammals smaller than deer, especially otters. When being reshaped for the road widening operation, this culvert should not be altered in a manner which will reduce its attractiveness to such mammals. The vehicular underpass at 700 m, which provides access to Kinraig Farm, could be enhanced to facilitate its use by mammals, including deer. The fencing to either side of this underpass is designed for stock, while deer fencing may be more effective at channelling roe deer towards it. There are at least 2 culvert pipes of <1m diameter, one at approximately 900m, near the school, and another at approximately 3300m. These should be extended during road widening to ensure that they pass through the fence line, or alternatively that the fence line is brought to the mouths of the culverts, thus increasing the likelihood that mammals will use them. In both cases, the likelihood that mammals will use them will increase if the culverts are widened. During the field visit, one culvert was noted to support a flow of water. The likelihood of otters in particular using this culvert will also increase by providing a dry ledge above the level of the water flow, for the length of the culvert.

Loss of wood ant nests

Several wood ant nests were noted along the side of the A9. Work should avoid nests where possible and where this is not possible, carefully relocate others to appropriate sites nearby which are a safe distance from construction activities.

Loss of woodland habitat at Alvie

An area of mature pine woodland and associated pinewood ground flora, along with a wet flush, would be disturbed by the construction of a new access road at Alvie. This area is marked on the Ancient Woodland Inventory. While the expansion of visibility splays at the existing junction is understandable, it is not clear why the new access road is necessary. If the track at 2100 m has to be closed to the A9 for safety reasons, then all properties and land served by this track can still be accessed by the current surfaced access road at 1900 m.

Appendix 6: Policy and Plans

Baseline Conditions

National, strategic and local planning policies of relevance in terms of the geographic context of the Highlands include National and the Scottish Planning Policy as well as the Development Plan policies for this part of The Highland Council and Cairngorms National Park areas.

National Planning Framework 2

National Planning Framework 2 (NPF2) was published in 2009 and guides Scotland's development to 2030, setting out strategic development priorities to support the Scottish Government's drive for sustainable economic growth. The Planning etc. (Scotland) Act 2006 puts the NPF2 and any future iterations on a statutory footing. On 19 September 2012, the Scottish Government announced that it will begin a major review of the country's planning policy and it will produce a third version of its NPF - NPF3 - which is due to be published by 25 June 2014.

NPF2 outlines the Scottish Government's aim of investing in a transport network which will be needed to enhance essential infrastructure, to support urban expansion, to improve access to facilities and services and to facilitate sustainable economic growth.

NPF2 further focuses on tackling congestion on trunk roads where it affects journey time reliability, targeted enhancement of capacity, managing demand on the network and addressing the accessibility needs of rural areas. As outlined in the report:

*"the Government is committed to further improvements to nationally strategic trunk routes, including the A9 as its continued maintenance and improvement is essential to ensure the safety of the network and to support long-term development"*¹.

Scottish Planning Policy (SPP)

The SPP outlines the key objectives of the planning system in Scotland as providing direction for the future development and use of land in cities, towns and rural areas in the long term public interest. The aim of SPP is to ensure that development and changes in land use occur in suitable locations and are sustainable. The following 'subject policies' are relevant to the proposed scheme:

SPP Subject Policy: Economic Development

This policy places an emphasis on the need to promote a successful economy through an effective and efficient transport infrastructure. The Scottish Government has embarked on a continuing programme of reinvigorating the transport system to meet Scotland's economic and social needs without threatening the health of the environment.

SPP Subject Policy: Rural Development

The policy sets out how the planning system can assist rural areas of Scotland in achieving sustainable development. It acknowledges that people in rural areas are more heavily dependent on private transport and that car ownership is higher than the Scottish average, reflecting the fact that most rural dwellers have little alternative for many journeys. Nevertheless, it is proposed that through effective and planned development, proper consideration can be given to meet economic, housing and social needs for access to rural services.

Essentially the policy sets out a guiding principle for councils considering proposals for rural development and the concept that development in rural areas should benefit local communities economically, socially and environmentally.

SPP Subject Policy: Historic Environment

This policy recognises that the planning system provides a mechanism for the co-ordination and integration of conservation policies with other land-use, transport and environmental policies affecting the historic environment. It also seeks to encourage the preservation of the nation's heritage sites and landscapes of archaeological and historic interest. Essentially, the Government aims to accommodate development without eroding environmental assets.

It recognises that planning has a positive role to play in enabling development that is appropriate in terms of land-use, location and design. However, in doing so it seeks to safeguard the historic environment from inappropriate development and provide for change that respects the character of an area whilst providing for the needs of the local population. In addition, the policy emphasises the need to have appropriate regard for archaeological remains as a limited, and often highly fragile, resource.

The ultimate objective is therefore to secure the best possible treatment of the archaeological heritage, whilst accommodating the need for development.

SPP Subject Policy: Landscape and Natural Heritage

This policy gives guidance on how the Government's policies for the conservation and enhancement of Scotland's natural heritage and landscape should be reflected in land use planning. In this context, Scotland's natural heritage includes its flora and fauna, its landforms and geology, and its natural beauty and amenity. Natural heritage encompasses both physical attributes and aesthetic values and, given the long interaction between human communities and the land in Scotland, has important cultural and economic dimensions.

Although the protection of the landscape and natural heritage may sometimes impose constraints on development, with careful planning and design, the potential for conflict can be minimised and the potential for enhancement maximised.

SPP Subject Policy: Transport

The overriding objective of this policy is to promote an integrated approach to land use, economic development, transport and the environment. The Strategic Transport Network (STN), which includes trunk roads and motorways, is critical in supporting a level of national connectivity that facilitates sustainable economic growth.

The primary purpose of the STN is to provide for the safe and efficient movement of planned long distance traffic between major centres. Additionally in rural areas, it seeks to perform important local functions.

A review of the SPP was announced in the Scottish Parliament on September 18, 2012. The review will: Up-date policy; Focus the policy on sustainable economic growth; and Emphasise place making.

The Development Plan

The Development Plan relevant to the scheme comprises of:

- The Highland Structure Plan (Adopted 2001)
- Cairngorms National Park Local Plan (Adopted 2010)

The Highland Structure Plan

A number of key policies relevant to the analysis of impact broadly follow the headings of transport and environmental protection. The Structure Plan identifies the need to promote the development of an efficient road network. This is given particular emphasis as the area is heavily dependent on the movement of goods through the road network.

The problems of access to goods, services and markets are identified as a priority measure within the Plan. To that end an emphasis is placed on improvements to the road network as a continuation to the work already completed over recent years.

In general, policies should encourage a move away from dependence on car-use where realistic, encourage the generation of transport options for people, including new forms of community transport, and focus on the local provision of services.

- Policy N1 – Nature conservation : new developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible;
- Policy L4 – Landscape character : ...have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals;
- • Recommendation TC4 – Trunk Roads : endorses the early improvement of identified sections of Trunk Road, as a contribution to the principal road network in Highland, always allowing for proper safeguarding of the environmental qualities of the area.

Cairngorms National Park Local Plan

The Cairngorms National Park Authority Local Plan was adopted by the National Park Authority (CNPA) in October 2010. The adopted Local Plan sets out detailed planning policies with the intention of guiding development in the park over future years. The Local Plan is accompanied by Supplementary Guidance.

The Cairngorms National Park Local Plan still has to conform to The Highland Structure Plan. The Structure Plan predates the National Park and it is therefore for the CNPA (Cairngorms National Park Authority) to justify differences in policy direction in the Cairngorms National Park Plan and Local Plan and whether these, as material considerations, outweigh the policies in the existing Structure Plan. (Note – is this explanation necessary. The CNP Local Plan is adopted and considerations of its conformity with the Structure Plans of each constituent Local Authority would have formed part of the process en route to adoption).

The adopted Local Plan is committed to safeguarding the high-level landscape and environmental values of the surrounding countryside areas, (General Policy 2) and thus new development must not compromise this aim. (Note : not sure what you're referring to as 'General Policy 2.' Policy 2 of the Local Plan concerns National Natural Heritage Designations. It may also be a bit misleading in referring to the policy as an 'aim'. Obviously the aims of the CNP are the for aims identified in National Park legislation. Development would be expected to demonstrate compliance with the aims of the National Park, as well as adherence to planning policy, but the NP aims and planning policy are distinctly different considerations.

In addition to detailing the planning policy that would be likely to be of relevance to the project, it would be advisable to also include a section on the 4 aims of the National Park.

The Plan seeks to locate future housing development within existing settlements. Within the settlement of Kincaig, the land in-between the A9 and the B9152 is identified for future housing and related community development ('Proposal Site KC/H1'). This Site (5.7 hectares) will consolidate the housing in Kincaig around the school. (Note: this is incorrect. The KC/H1 site is on the eastern side of the B9152. It does not encompass land between the B9152 and the A9. The western settlement boundary of Kincaig mostly follows the line of the B9152, with the only exceptions being a small area of land between the B9152 and the A9 which includes Kincaig Primary School and an existing commercial enterprise (identified as KC/ED1 – Baldow Smithy as detailed in your paragraph below).

Within immediate proximity of the slip road junction leading from the A9 to the B9152, the Site of 'Baldow Smiddy' and land to the rear ('Proposal Site KC/ED1') have been identified as an opportunity for enhancing economic development within the settlement.

Local plan policies of likely relevance :

- Policy 4 – Protected Species;
- Policy 5 – Biodiversity;
- Policy 6 – Landscape;
- Policy 29 – Integrated and Sustainable Transport Network;
- Policy 34 – Outdoor Access.

Adopted Supplementary Planning Guidance (SPG) documents accompanying the Local Plan and relevant to the dualling scheme include:

- Cairngorms National Park Sustainable Design Guide
- Natural Heritage
- Water Resources
- Kincaig Development Brief
- Wildness

Cairngorms National Park Partnership Plan (CNPPP) 2012 – 2017

The CNPPP aligns itself to the Government's four aims (listed below which are integral to the sustainable development needed to support communities and businesses in order to protect and enhance these areas for future generations.

- Landscape, habitats and species
- The economy
- Population
- Climate change and weather events

The Plan states, however, that where there appears to be a conflict between the aims of the Park (Note – as detailed earlier, there is a need somewhere in the text to actually detail the formal wording for the 4 aims), the National Parks (Scotland) Act 2000 requires that greater weight be given to conserving and enhancing the natural and cultural heritage. This is a sustainable development approach in action, which all partners should take to ensure that the environment, with which the economy and visitor experience is so interwoven, remains special for future generations.

The five-year Plan sets out how the Cairngorms National Park will be managed:

- delivering outstanding tourism destinations
- investing in some of Scotland's most loved landscapes and wildlife
- generating growth in rural economies

The foundations of the Plan are based on some basic principles and themes, including:

- conservation and enhancement of the environment
- ensuring the Park is accessible to everyone
- tourism and visitor management
- climate change
- effective partnership working

Appendix 7: Meeting with CNPA and SNH

Project:	A9 Dualling – Kincaig to Dalraddy1		
Subject:	Consultation: Scottish Natural Heritage / Cairngorms National Park Authority		
Date and Time:	18 Jan 2013	Meeting no:	1
Meeting Place:	International Starters, Aviemore		
Minutes by:	SB / RG		

Present:	Representing:
Jo Blewett	Transport Scotland
Rory Gunn	Atkins
Stephen Bacon	Atkins
Denise Reed	SNH
Sue Scoggins	SNH
Shirley Reid	SNH
Sarah Hutcheon	SNH
Bob Grant	CNPA
Matthew Hawkins	CNPA
David Hetherington	CNPA

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
1	<p>Scheme Overview</p> <p>RG provided overview of current design, from south to north:</p> <ul style="list-style-type: none"> • Dualling commences immediately north of wildlife park • First section is widened to the west • After sheep-dog area road is widened to the east • 5.3m headroom to be provided at all but one of the underpasses – this will generally not result in any significant change to the height of the road above, other than at Baldow Smiddy where the vertical alignment will increase by 1.2m • There will be a rationalisation of the number of access points, reducing from 16 to 2 	N/A	N/A
2	<p>Environmental Impact Assessment</p> <p>SB provided an overview of the scope of the EIA being undertaken for the project. The majority of the survey work for the ES chapters has been undertaken, which are now in the process of being written up. Following this introductory meeting, the environmental specialists will commence direct consultation with CNPA/SNH. SB provided an overview of the topics/issues that are likely to be consulted on:</p>	N/A	N/A

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
2a	<p>Cultural Heritage</p> <p>Information on scheduled monuments and listed buildings identified within the study area.</p>	Mid-Feb	Atkins
2b	<p>Planning Policy</p> <p>Consultation sent to CNPA on 6/11/12, who responded 20/11/12. Confirmation to be sought on our interpretation of the policy review.</p>	Mid-Feb	Atkins / CNPA
2c	<p>Landscape and Visual Impact Assessment</p> <ul style="list-style-type: none"> • Landscape mitigation proposals (2+1 vs. current) particularly with regards to loss of Ancient Woodland and proposed replacement planting. • Screening of Meadow side Quarry and settlement of Kinraig and Dalraddy. • Seek agreement on study area extents, ZTV, receptors identified and viewpoints. 	Mid-Feb	Atkins / SNH / CNPA
2d	<p>Ecology</p> <ul style="list-style-type: none"> • Work to date has identified potential ecological sensitive receptors at the southern end of the scheme, which will need to be taken into account (particularly with regard to construction). • Species potentially requiring special mitigation are wood ants (<i>Formica lugubris</i>). • Biological records (including mammals such as badger, wild cat and pine marten), either from CNPA/SNH direct, or from other organisations (e.g. the local badger group). Any results of camera trapping of the culverts/underpasses. • Impacts/mitigation regarding new severance of wildlife corridors, • Impact on Dunachton Burn in relation to the SAC and whether an AA is required. SB requested that SNH provide details of any potential works currently underway or planned for Dunachton Burn that will need to be considered during the screening process for in-combination effects. • Potential mitigation for wood ants. • Distribution of sensitive bird species on the marshes, relative to the road works. 	Mid-Feb	Atkins / SNH / CNPA

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
2e	<p>Geotechnical</p> <ul style="list-style-type: none"> Existing quarries: relationship between widening and working quarries with possible slope instability due to blasting. Any requirements in relation to peat. Any requirements in relation to retention of slopes e.g. use of soil nails, reinforced earth, retaining structures, gabion structures. 	Mid-Feb	Atkins
2f	<p>Air Quality</p> <ul style="list-style-type: none"> SNH to be consulted on habitat selection for the purposes of AQ assessment of sensitive ecosystems (River Spey and Insh Marshes SSSI). Habitats selected to date: deciduous woodland (alder) and lowland fens (valley mires, poor fens, transition mires). 	Mid-Feb	Atkins
3	<p>Consultation protocols</p> <p>SR stated that SNH should be consulted on all matters relating to Designated sites and European Protected Species, with CNPA being consulted for all other matters. It was agreed that all consultation requests would be sent to Bob Grant at CNPA and Denise Reed at SNH, who will then distribute internally and coordinate responses.</p>	N/A	Atkins
4	<p>Associated proposals</p> <p>SR enquired whether any provision for road-side development (restaurant etc.) formed part of the scheme. JB responded...</p>	N/A	N/A

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
5	<p>Landscape mitigation</p> <ul style="list-style-type: none"> • BG/MH requested that proposals will need to reflect an agreed route-wide approach / set of principles, so as not to set any incorrect precedents at Kincaig-Dalraddy. This approach should also apply to other aspects, such as design approaches to access, permeability of A9 corridor for wildlife etc.; • JB stated that in addition to the SEA, further route-wide landscape and visual studies were being undertaken by TS/Halcrow (Angus Corby/John Fox) in order to develop these principles; • It was agreed that CNPA/SNH could contribute to this process, the first step being a workshop followed by accompanied site visits. DR to suggest suitable date to JB for workshop; • A series of informal principles could then inform the Kincaig-Dalraddy landscape mitigation, in advance of the overall A9 study being completed; • CNPA has previously provided comments on the Landscape Mitigation proposals prepared for the previous ES in 2006-7. JB to send onto to Atkins; • CNPA reiterated that, in accordance with national park policy, they will be seeking 'enhancement' as well as 'compensation' in the mitigation proposals. JB requested that this be formally requested by CNPA to TS. 	Mid-Feb	Atkins
6	<p>Cultural Heritage</p> <p>CNPA requested that any consultation with HS should include specific reference to a possible Battlefield site at Dunachton Burn;</p>	Mid-Feb	Atkins
7	<p>Ecological surveys/mitigation</p> <ul style="list-style-type: none"> • SR confirmed the designations present in the local area: • River Spey SSSI & SAC <ul style="list-style-type: none"> ◦ River Spey-Inch Marshes SSSI / SPA / RAMSAR; ◦ Inch Marshes SAC ◦ Alvie SSSI ◦ River Feshie SSSI (possibly, depending on Study area) 	Mid-Feb	Atkins

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<ul style="list-style-type: none"> • SR confirmed the European Protected Species present in the local area: <ul style="list-style-type: none"> ◦ Otters (qualifying species in: River Spey SSSI & SAC; River Spey-Inch Marshes SSSI; Inch Marshes SAC) ◦ Bats ◦ Wildcats • SR stated that Arctic Charr are a notified interest in the Dunachton Burn; • SR recommended referring to the maps and information present on the SiteLink section of the SNH website, and handed over various print-outs from this data source to Atkins; • SR raised the possible need for Wildcat surveys, and stated that a survey methodology was been prepared by FCS/SNH. DH stated that there had been unsubstantiated sightings in the Kincaig-Dalraddy area, but that radio-tagging was the only reliable method of surveying potential movements across the A9 in this area. Transerv has done some trapping work, but this may be no longer valid (12-18 months). Project ecologist (William Latimer) to contact DH direct to discuss requirements further (together with mitigation [specific crossing/underpasses?]); • Any consultations on water environment (including Arctic Charr) to include Duncan Ferguson, Spey Fisheries Board. Spey Fisheries Board will act as competent authority for any Appropriate Assessments required; • All watercourses to be surveyed for otter; • Species Protection Plans to be developed; • Mitigation to include that all culverts will facilitate the passage of fish and mammals; • It was noted that during the previous EIA bat surveys were undertaken – particularly in the vicinity of Alvie House; • There are known wood ant nests in the area – they tend to favour open areas within woodland so these should be avoided if possible. Potential to translocate nests requiring removal off-site to new areas of native woodland expansion? 		

ITEM	DESCRIPTION & ACTION	DEADLINE	RESPONSIBLE
	<ul style="list-style-type: none"> • There a number of pH neutral ponds on the west side of the A9 in the vicinity of Alvie, which sustain Northern Damsel Fly and Smooth Newts. Need to ensure that there are no hydrological or other impacts on these ponds as a consequence of the scheme; • CNPA/SNH would welcome sight of initial raw ecology survey data; • Need to include Karen Sutcliffe (RSPB Insh Marshes National Nature Reserve, Ivy Cottage, Insh) on relevant consultation distribution; • Local Scottish Badger Group contact is Eddie Palmer at North Tayside Badger Group; • SNH recommended consulting Perth Museum for further data on Red Deer fatalities in the area; • It was noted that in the previous ES there had been particular botanical interests on the road embankments – this should be re-visited; • JB stated that she had been approached by Scotia Seeds regarding advance seed collection for local provenance plants. This was generally thought to be a good idea in the context of the wider A9 proposals, especially given the lead-in time of up to 4 years. 		
8	<p>Wind Farm Development</p> <p>JB noted the proposed Allt Duine wind farm PLI had finished in October 2012. BG noted that a decision was likely to take 6-8 months, possibly longer. It was agreed that given its planning status, the ES would acknowledge the wind farm proposal but not include it within the assessment.</p>	N/A	All to note