

Appendix A19.2: Assessment of Development Plan Policy Compliance

- 1.1.1 The key policies and relevant criteria that may affect the development of the proposed scheme are listed below. Policies marked with 'X' are of particular relevance as there may be non-compliance issues. Policies that are marked with a tick '✓' identify that the proposed scheme is generally compliant and in accordance with the aims of the policy.
- 1.1.2 The proposed scheme is situated entirely within the Perth & Kinross Council (PKC) area. Table.1 below provides an assessment of the proposed scheme against both the updated Strategic Development Plan (TAYplan) and the Perth & Kinross Council Local Development Plan (PKC LDP).

Table 1: Assessment of Policy Compliance for Perth & Kinross Council

Policy	Relevant Environmental Assessment Chapter(s)	Proposed Scheme	Summary
TAYplan – Strategic Development Plan (2017)			
Policy 1 – Location Priorities	Chapter 19 (Policies and Plans)	✓	This policy shapes the locational priorities for all development in the Strategic Development Plan (SDP) area, prioritising development in existing settlements and on previously used land. It is not directly applicable to this project, which is for a strategic road improvement established at a national level through policy documents such as the Strategic Transport Project Review (STPR); Scotland's Cities: Delivering for Scotland; IIP; Scotland's Economic Strategy; National Transport Strategy (NTS); and the National Planning Framework (NPF). Regardless, the proposed scheme will provide infrastructure commitments required to deliver the locational priorities from Policy 1.
Policy 2 – Shaping Better Quality Places	Chapter 9 (People and Communities – Effects on All Travellers)	✓	This policy provides direction on maintaining and improving the quality of places and the environment. Comments under each of the themes of the policy are as follows.
	Chapter 11 (Road Drainage and the Water Environment)	✓	This policy provides direction on maintaining and improving the quality of places and the environment. Comments under each of the themes of the policy of relevance to the proposed scheme are as follows.
	Chapter 18 (Materials)	X	<p>a) Place-led: This aspect of the policy is not directly applicable to the proposed, and is more relevant to layout and design of new buildings. However, as demonstrated in this compliance assessment, the consideration of (and impact on) natural and historic assets has been prevalent throughout the DMRB process and influenced the chosen design. It would therefore be considered that this accords with the need to have a place-led development.</p> <p>b) Active and healthy by design: One of the key objectives of the project is to improve the safety of the existing A9 for all users. This includes providing grade separated crossings, with provision for pedestrians, cyclists and road users which would improve facilities for all users of the road. Chapter 9 (People and Communities – Effects on All Travellers) identifies a total of 38 paths within the study area (comprising of two National Cycle Routes (NCR), 20 Core Paths, 15 Local Paths and two Rights of Way) that would potentially have impacts relating to journey length and amenity value. Generally, Non-motorised User (NMU) journey lengths are not significantly affected with the proposed scheme in place. One NMU route (between Foss Road and the Clunie Footbridge) will experience a Moderate significance adverse impact as a consequence of decreased amenity value relating to increased noise. However, as this would maintain access for pedestrians, cyclists and equestrians, the impacts are not considered to unreasonably affect public access. The proposed scheme provides safer crossing points for NMUs and maintains existing routes, with predominantly negligible change or improved journey times. This is in line with the recommendations of the SEA and is in accordance with this policy criterion.</p> <p>c) Resilient and future-ready: In accordance with this policy (Criterion C), Scottish Planning Policy (SPP) and DMRB Guidance, Chapter 11 (Road Drainage and the Water Environment) provides an assessment of the potential for flood risk from the proposed scheme and proposes mitigation, including reducing surface runoff and the implementation of SuDS.</p>

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			<p>For the proposed scheme, a general approach to flood prevention has been adopted. This includes the provision of compensatory flood storage in the event where floodplains are lost or connectivity is reduced. While some minor adverse residual impacts have been identified for operation of the scheme, the majority of impacts arising from the operation of the proposed scheme would be 'Neutral' (i.e. neither significant adverse nor significant beneficial). Further, as the project is of strategic importance as a trunk road and develops on an existing route, it is assessed as being in accordance with policy under this criterion.</p> <p>d) Efficient resource consumption: The proposed scheme is for a strategic road improvement, where much of this criterion of the policy is not applicable. However, in relation to carbon emissions, by applying key material and waste management principles such as the waste management hierarchy, the impacts on natural resources and need for permanent disposal of waste will be reduced. In particular, this will be achieved by re-using existing soils and infrastructure, taking into consideration the environmental impacts of products during their procurement.</p> <p>In line with DMRB guidance HD212/11, Chapter 18 (Materials) has undertaken a calculation of embodied carbon associated with those materials known to be required for the construction of the proposed scheme using Transport Scotland's Carbon Management System Road Infrastructure Projects Tool. The detailed materials assessment undertaken in the chapter indicates that the carbon emissions for the proposed scheme will be between 38,300 tonnes and 44,000 tonnes of carbon dioxide equivalent (CO₂e) (including 15% contingency). The impact magnitude is considered to be major, but this is unavoidable in a development of this nature, and in line with other major roads projects.</p> <p>Chapter 18 (Materials) has been produced in accordance with relevant International and National legislation, regulations and guidance – including Scotland's Zero Waste Plan. The risk of accidents and impacts occurring will be managed and reduced through the development and application of several plans addressing different aspects of construction site management, such as a Code of Construction Practice (CoCP), Construction Environmental Management Plan (CEMP), Site Waste Management Plan (SWMP) and Materials Management Strategy.</p>
Policy 9 – Managing TAYplan's Assets	<p>Chapter 8 (People and Communities - Community and Private Assets)</p> <p>Chapter 12 (Ecology and Nature Conservation)</p> <p>Chapter 15 (Cultural Heritage)</p>	<p>✓</p> <p>✓</p> <p>✓</p>	<p>This is a strategic policy which seeks to manage assets and protect finite resources. Comments under each of the themes of the policy are provided below.</p> <p>a) Finite Resources No prime agricultural land or land safeguarded for minerals importance is located within the study area (see Chapter 8: People and Communities - Community and Private Assets).</p> <p>b) Protecting Natura 2000 sites The proposed scheme would have a direct impact on one internationally designated Natura 2000 site; the River Tay Special Area of Conservation (SAC). The potential effects which may have an impact on the SAC include pollution of the habitat such as reduced water quality and temporary alteration of the SAC habitat. Furthermore, the River Tay SAC may potentially also be impacted by disturbance to qualifying species and fragmentation of their habitats, temporary de-watering and reduced water quality and increased deposition. However, it is considered that, after the implementation of Standard Mitigation Commitments (SMCs) (e.g. mitigation of potential pollution impacts through adherence to standard best practice and guidelines), there will be no significant residual impacts on this internationally designated site. It is therefore compliant with Policy NE1A.</p>

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			<p>c) Safeguarding the integrity of natural and historic assets As identified in Chapter 15 (Cultural Heritage), after identified mitigation has been implemented, no significant impacts are expected to occur during construction or operation on any cultural assets located within the unitary area covered by TAYplan.</p> <p>d) Safeguarding the qualities of unspoiled coast <u>Given the location of the proposed scheme, this criterion is not relevant to the assessment.</u></p> <p>Considering all aspects of criteria noted above, on balance, it is considered that the proposed scheme complies with Policy 9.</p>
Perth & Kinross Council Local Development Plan (2014)			
Policy PM 1 – Placemaking	Chapter 9 (People and Communities – Effects on All Travellers)	✓	To ensure the sustainable development of Perth & Kinross, the Placemaking policy requires the provision of services in appropriate locations, and to ensure that new development safeguards and enhances environmental quality.
	Chapter 13 (Landscape)	X	In relation to Policy PM1A, which seeks that development makes a positive contribution to the quality of the natural and built environment, it is noted that the proposed scheme will seek to avoid significant landscape and visual effects, with mitigation identified in Chapter 13 (Landscape) and Chapter 14 (Visual). The proposed scheme will predominantly be situated within the online footprint of the existing A9 corridor, thereby reducing the extent of change to the surrounding environment through design.
	Chapter 14 (Visual)	X	<p>In regards to Placemaking criteria set out in Policy PM1B:</p> <p>a) Creating a sense of identity through the structure of streets is not applicable to this project, which is for strategic road infrastructure improvements.</p> <p>b) In regards to the consideration of the topography and landscape, Chapter 13 (Landscape) assesses any potential changes as a result of the proposed scheme on the overall pattern of the landscape elements, which together define the landscape character and local regional distinctiveness.</p> <p>The impact of the proposed scheme on Local Landscape Character Areas (LLCAs) has been assessed and, in areas where the assessment found that significant direct residual impacts would occur, appropriate steps have been taken to mitigate and ensure a positive contribution is made to the visual quality of place. There are three LLCAs directly relevant: Strath Tummel LLCA, the Pass of Killiecrankie LLCA and the Strath Tummel: Pitlochry (Settlement) LLCA. The proposed scheme would also have an impact on landscape features within the Loch Tummel NSA and Ben Vrackie Special Landscape Area (SLA).</p> <p>It is concluded that the impacts of the proposed scheme will result in significant residual impacts on two of the LLCAs, Strath Tummel and Pass of Killiecrankie. While both of these impacts are expected to be significant during year opening, in the '15 years after opening' scenario, i.e. when identified mitigation such as planting has become fully established, the impact on the Strath Tummel LLCA would no longer create a significant impact on the local landscape, however the impact for the Pass of Killiecrankie would retain a significant impact.</p>

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			<p>c) As noted in Chapter 13 (Landscape) and Chapter 14 (Visual) mitigation measures to integrate the road into the landscape include careful alignment and grading out of cuttings and embankments to reflect the local topography and enable the land, where appropriate, to be returned to agriculture would enable the proposed scheme to compliment the setting of development, with cognisance that the existing A9 currently intersects the landscape. It is considered that this will enable the design and appearance to integrate and complement the surroundings.</p> <p>d) In relation to building line, this is not applicable to a road scheme.</p> <p>e) As set out in Chapter 9 (People and Communities – Effects on All Travellers), appropriate mitigation alternative measures will be provided for NMUs using paths affected by the proposed scheme during operation. It is noted in Chapter 9 (People and Communities – Effects on All Travellers) that one existing route will have a decreased amenity as a result of the proposed scheme, however it is considered that the decreased amenity is primarily associated with noise rather than visual impact.</p> <p>f) – h) Not applicable to this proposal.</p> <p>Policy PM1C is in relation to housing developments and is not applicable to this project.</p> <p>In summary, while the proposed scheme meets the majority of criteria from Policy PM1 applicable to a development of this nature, given the long term significant impacts on Landscape quality it would not be considered that the proposed scheme complies with policy.</p>
Policy PM 2 – Design Statements	n/a	N/A	This policy refers to the requirements for design statements to accompany applications where design sensitivity is considered a potential issue. As the area of Perth & Kinross involved in the assessment area does not feature any sensitive receptors (such as residential, commercial and industrial Property), this will not be required. Furthermore, as the proposed scheme is not a planning application, it would not be considered applicable to this policy.
Policy PM 3 – Infrastructure Contributions	n/a	N/A	The project is for improvements to the strategic road network which does not give rise to the increased need for public services, facilities or infrastructure.
Policy ED1 - Employment and Mixed Use Areas	Chapter 8 (People and Communities - Community and Private Assets)	X	<p>Policy ED1A seeks to retain employment provisions in designated areas.</p> <p>The proposed scheme is expected to result in land-take (approximately 0.72ha) from one designated Employment Area in the PKC LDP– Fonab Business Park. This land-take is expected to limit the development potential of the employment area.</p> <p>Given the proposed scheme would reduce areas identified for employment uses, it is considered this would not comply with Policy ED1.</p>
Policy ED3 – Rural Business and Diversification	Chapter 8 (People and Communities - Community and Private Assets)	N/A	<p>Policy ED3 seeks to retain employment provisions in designated areas. The policy stipulates the criteria for new businesses in the area and protecting existing proposals.</p> <p>As the proposed scheme is not an existing or proposed business it would not be required to meet the criteria of the policy. As such, it is considered not relevant to the proposed scheme.</p>

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Policy ED4 - Caravan Sites, Chalets and Timeshare Developments	Chapter 8 (People and Communities - Community and Private Assets)	✓	Policy ED4 seeks to safeguard land for Caravan sites, Chalets and Timeshare Developments. While this policy is primarily aimed at developers of these facilities and therefore not directly applicable to a roads development it is noted that the proposed scheme will not affect any existing or approved development sites covered by this policy.
Policy ED5 – Major Tourism Resorts	Chapter 8 (People and Communities - Community and Private Assets)	✓	<p>Tourism plays a key role in employment provision and economic viability of services and facilities within the area. The PKC LDP seeks to promote and enhance existing and future tourism developments with the policy ensuring that identified major tourism resorts are appropriately protected against adverse developments.</p> <p>Within Pitlochry, two important tourism land uses, the Atholl Palace Hotel and Milton of Fonab Caravan are identified. As noted in Chapter 8 (People and Communities - Community and Private Assets) neither of these resorts are impacted as a result of the proposed scheme.</p>
Policy RD1 – Residential Areas	Chapter 8 (People and Communities - Community and Private Assets)	✓	<p>Policy RD1 seeks to protect residential amenity and ensure that development within ‘Residential Areas’ are compatible with the amenity and character of the area.</p> <p>As an identified settlement, Pitlochry has various residential areas as well as two designated sites for future residential development. The policy seeks to ensure new development is compatible with existing residential use, Middleton of Fonab (H38) as identified in the LDP for residential housing, is located within the assessment area of the proposed scheme.</p> <p>As noted in Chapter 8 (People and Communities - Community and Private Assets) direct land take will occur as a result of the proposed scheme on the H38 residential site, the impact on this development land allocation is not considered to be significant and will not prevent the allocation from achieving its developable potential. While other established groupings of residential properties are expected to be impacted by the proposed scheme these impacts will for the most part be in relation to changes to current access arrangements.</p> <p>As such, it is considered that the proposed scheme would comply with the relevant parts of policy.</p>
Policy TA1 – Transport Standards and Accessibility Requirements	Chapter 9 (People and Communities – Effects on All Travellers)	✓	<p>Policy TA1 sets out a transport and accessibility framework for Perth & Kinross which has been developed in line with SPP and the Regional Transport Strategy.</p> <p>Policy TA1A (Existing Infrastructure) states that encouragement will be given to the retention and improvement of existing infrastructure. The project is for the improvement of the existing A9 corridor and it is assessed that all proposed scheme is compliant with this policy.</p> <p>Furthermore, in regards to requirements for cycling and walking, it is considered that the design, including the identification of embedded mitigation, fully demonstrates the proposed scheme’s consideration and promotion of cycling and walking from the outset, thereby demonstrating compliance with the overarching aims of Policy TA1.</p>

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Policy CF1 – Open Space Retention and Provision	Chapter 8 (People and Communities - Community and Private Assets)	✓	<p>Policy CF1 ensures the retention and provision of open space and recreation. Open space is assessed in Chapter 8 (People and Communities – Community and Private Assets) as a ‘community land’ receptor, identified in 8.2.3. as,</p> <p><i>‘land which is an established public recreational resource, such as playing fields, country parks, waterways or areas identified as ‘Open Space’ within Local Development Plans (LDPs).’</i></p> <p>It is noted in Chapter 8 that, in compliance with both parts of policy; CF1A (Open Space retention and provision) and CF1B (Open Space with new developments), no significant impacts will occur on defined open space as a result of the proposed scheme.</p>
Policy CF2 – Public Access	Chapter 9 (People and Communities – Effects on All Travellers)	✓	<p>Policy CF2 seeks to ensure that no adverse impacts would occur to the integrity of any public access routes. As stated in Chapter 9 (People and Communities – Effects on All Travellers), a total of 38 paths within the study area have been identified (comprising of 2 NCR, 20 Core Paths, 15 Local Paths and 2 Rights of Way). Chapter 9 (People and Communities – Effects on All Travellers) considers ‘integrity’ to relate to impacts on both journey length and amenity value.</p> <p>Chapter 9 (People and Communities – All Travellers) finds that, generally, journey lengths are not significantly affected with the proposed scheme in place. There will remain a significant impact on the amenity of one route (which forms a section a NCR) due to increased noise levels. However, as this would retain access for pedestrians, cyclists and equestrians, the impacts are not considered to “affect unreasonably” public access or the integrity of the route, in compliance with the aims of Policy CF2.</p>
Policy CF3 – Social and Community Facilities	Chapter 8 (People and Communities - Community and Private Assets)	✓	<p>Policy CF3 considers developments that have the potential to result in the loss or change of land or buildings presently (or most recently) used for community purposes, and seeks to ensure that this land is safeguarded.</p> <p>This potential impact has been assessed in Chapter 8 (People and Communities – Community and Private Assets) and considers that, in compliance with the aims of Policy CF3, there is expected to be no significant impacts on community land, community facilities or community severance.</p>
Policy HE1 – Scheduled Monuments and Non-Designated Archaeology	Chapter 15 (Cultural Heritage)	✓	<p>Policy HE1A (Scheduled Monuments) presumes against developments that would adversely affect the integrity of a Scheduled Monument and its setting. As noted in Chapter 15 (Cultural Heritage), 14 Scheduled Monuments have been identified within the study, of these 13 are classed as Archaeological Remains and 1 is a Historic Building.</p> <p>In compliance with policy protecting Scheduled Monuments (Policy HE1A) and Non-Designated Archaeology (Policy HE1B), after mitigation, no significant impacts on designated sites or identified archaeological remains are predicted, therefore the proposed scheme complies with this policy.</p>
Policy HE2 – Listed Buildings	Chapter 15 (Cultural Heritage)	✓	<p>Policy HE2 seeks to ensure that the retention and management of listed buildings should not be adversely affected by development.</p> <p>Of the 129 Historic Buildings identified in the study area of the proposed scheme; 4 are categorised as A listed buildings, 45 are B listed and 60 are Category C listed buildings. Chapter 15 (Cultural Heritage) notes that no direct impact will occur on any of the listed buildings as a result of the proposed scheme and, as the majority of listed buildings are located within Pitlochry, the majority will remain completely unaffected. This is considered compliant with Policy HE2.</p>
Policy HE3 – Conservation	Chapter 15 (Cultural Heritage)	✓	<p>The aim of Policy HE3A is to ensure that development within a conservation area must preserve or enhance its character or</p>

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Areas	Heritage)		appearance. As noted in Chapter 15 (Cultural Heritage) two Conservation Areas (Moulin - Asset 740 and Pitlochry - Asset 741) have been identified within the study area. No impacts are predicted on these areas as a result of the proposed scheme. As such, it is considered compliant with Policy HE3.
Policy HE4 – Gardens and Designed Landscapes	Chapter 15 (Cultural Heritage)	✓	Policy HE4 seeks to protect the character, quality and integrity of current Inventory of GDLs. Of the 10 Historic Landscape Types (HLT) identified in the study area, one Garden and Designed Landscape (GDL) is present. However, this HLT (HLT 8) represents a Retaining Core Elements feature, which is classified as a non-inventory GDL. As noted above, Policy HE4 seeks to protect GDLs identified in the Inventory. As such, with no identified Inventory GDLs in the study area, the proposed scheme complies with Policy HE3.
Policy HE5 – Protection, Promotion and Interpretation of Historic Battlefields	Chapter 15 (Cultural Heritage)	✓	Policy HE5 seeks to protect those battlefields listed on the Inventory of Historic Battlefields. Chapter 15 (Cultural Heritage) identifies no known historic battlefields within the study area. As such, the proposed scheme will not negatively impact the protection and promotion of these historical assets, and is therefore compliant with Policy HE5.
Policy NE1 – Environment and Conservation Policies	Chapter 12 (Ecology and Nature Conservation)	X	<p>The Perth & Kinross Natural Environment (NE) policies seek to ensure that resources are used and managed in a sustainable way. Chapter 12 (Ecology and Nature Conservation) identifies 36 ecological features that could potentially be impacted by the proposed scheme, including four statutory designated sites, AWI sites, and aquatic and terrestrial species and habitats.</p> <p><u>Policy NE1A: International Nature Conservation Sites</u></p> <p>The proposed scheme would have a direct impact on one internationally designated Natura 2000 site; the River Tay SAC. The potential effects which may have an impact on the SAC include pollution of the habitat such as reduced water quality and temporary alteration of the SAC habitat. Furthermore, the River Tay SAC may potentially also be impacted by disturbance to qualifying species and fragmentation of their habitats, temporary de-watering and reduced water quality and increased deposition. However, it is considered that, after the implementation of SMCs (e.g. mitigation of potential pollution impacts through adherence to standard best practice and guidelines), there will be no significant residual impacts on this internationally designated site. It is therefore compliant with Policy NE1A.</p> <p><u>Policy NE1B (National Designations)</u></p> <p>Within the study area there is one nationally designated site, Pass of Killiecrankie Site of Special Scientific Interest (SSSI), as well as areas of designated Ancient Woodland Inventory (AWI). As noted in Chapter 12 (Ecology & Nature Conservation) the SSSI is unlikely to be affected by the proposed scheme.</p> <p>There will be loss of AWI that will not be mitigated fully through compensatory planting. In the long term this impact is expected to reduce as woodland corridors grow and connect. Continued engagement throughout the design process has been undertaken with Scottish National Heritage (SNH) and other stakeholders to ensure that best practice has been undertaken in this approach. However, given the adverse effect on the integrity of the area, it is considered that the proposed scheme would not comply with this criterion of policy.</p> <p><u>NE1C (Local Designations)</u></p> <p>In relation to local designations, there would be some loss of woodland registered on the Native Woodland Survey of Scotland (NWSS), which could impact habitat species. However, the residual impacts are not considered to be significant.</p> <p>Overall, Policy NE1 seeks to ensure the protection of designated sites. While effective mitigation will prevent any adverse impacts to</p>

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			the majority of designated sites, the loss of AWI results in the proposed scheme conflicting with policy NE1B.
Policy NE2 – Forestry, Woodland and Trees	Chapter 8 (People and Communities - Community and Private Assets) Chapter 12 (Ecology and Nature Conservation)	✓ ✓	<p>Policy NE2A seeks to protect existing trees and woodland. It is noted in Chapter 8 (People and Communities - Community and Private Assets) that there is proposed forestry land-take for the proposed scheme, including some ancient and native woodland loss.</p> <p>a) In relation to Criterion A, which seeks to ensure woodland maximises benefits for communities and the environment, potential mitigation, including compensatory planting where there is loss of existing woodland, is proposed.</p> <p>b) and d) In terms of the protection of trees and woodland that are designated for their high natural, historic or cultural value, no Tree Preservation Orders have been identified within the assessment area. Additionally, Faskally Forest (Dunmore) supports 'The Enchanted Forest' event which represents recreational, cultural and tourism value. No significant impact has been identified on this area.</p> <p>In regards to areas of AWI and non-designated woodland loss, and compensatory strategy for replanting. This has been assessed in Policy NE1B.</p> <p>c) Refers to the expansion of woodland cover. In this regard, mitigation will include compensatory planting to replace woodland lost, however this will not expand woodland cover.</p> <p>e) The project is not located within a Conservation Area; therefore, Criteria E is not applicable.</p> <p>f) Criterion F of Policy NE2A is relevant to this project as it seeks to ensure that, in advance of major developments, there is an establishment of new woodland. As stated above in Chapters 12 (Ecology and Nature Conservation) and 13 (Landscape) and above in Policy NE1B, appropriate mitigation including the retention of existing trees and vegetation wherever possible and incorporation and translocation of soils and/or other features associated with ancient woodland would be implemented.</p> <p>It is considered that, with mitigation, there would be a broad compliance with policy in this respect.</p> <p>Policy NE2B relates to the methods of tree surveys and is not applicable to this project.</p> <p>In summary, the proposed scheme meets all policy criteria from Policy NE2 applicable to a development of this nature.</p>
Policy NE3 – Biodiversity	Chapter 12 (Ecology and Nature Conservation)	✓	<p>Policy NE3 seeks to protect and enhance all wildlife and wildlife habitats. In accordance with criteria C) of the policy, Chapter 12 (Ecology and Nature Conservation) identifies the potential impact significance and also considers mitigation aimed to alleviate potential impacts on biodiversity, in accordance with the Scottish Biodiversity Strategy and its component 2020 Challenge for Scotland's Biodiversity (Scottish Government, 2013).</p> <p>In terms of European Protected Species, based on the DMRB Stage 3 studies there is not expected to be any significant impact on any species listed in Annex IV of the Habitats Directive (Directive 92/43/EEC), in full compliance with Policy NE3.</p>
Policy NE4 – Green Infrastructure	Chapter 12 (Ecology and Nature Conservation) Chapter 13 (Landscape)	✓	<p>Policy NE4 seeks to ensure that all new development contributes to the creation, protection and management of green infrastructure. Chapter 12 (Ecology and Nature Conservation) details a series of mitigation measures that could be implemented to reduce impacts on, or compensate for, habitat (including loss of woodland) and species loss, including the implementation of best working practices during the construction phase of the proposed scheme. During operation, compensatory planting, habitat creation, mammal fencing and provision of crossing structures have been proposed to mitigate impacts.</p> <p>As such the proposed scheme is compliant with Policy NE4.</p>

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Policy NE5 – Green Belt	Chapter 8 (People and Communities - Community and Private Assets) Chapter 12 (Ecology and Nature Conservation)	N/A ✓	Green Belt land identified within the Local Development Plan is not located within the study area. As such, assessment of compliance against this policy is not required.
Policy ER4 – Minerals and Other Extractive Activities - Supply	Chapter 18 (Materials)	X	<p>In seeking greater efficiency in the use of primary mineral resources and minimising the production of waste, Chapter 18 (Materials) sets out the principles and objectives of the proposed scheme. Included within this are:</p> <ul style="list-style-type: none"> the minimisation of raw materials through use of appropriate recycled materials that meet safety and durability performance requirements; the use long-life performance materials to improve durability and reduce whole life cost carbon; to use locally sourced materials and suppliers, to reduce material transport emissions and to support local businesses, where feasible; and to assess the effect of recycled material specifications to determine the associated carbon impact and maintain flexibility to select the option that provides the optimal balance between embodied and transportation carbon effects. <p>Through the assessment undertaken and the mitigation items proposed (including implementation of the Waste Hierarchy; Implementation of a CEMP; and Implementation of a SWMP), the policy requirements of ER4 will be met.</p> <p>The waste assessment undertaken predicts that the residual impact on high sensitivity waste management facilities (i.e. operational landfills and licenced treatment facilities) is considered to be of major magnitude and Large/Very Large significance which is considered to be significant.</p> <p>The mitigation measures will minimise materials use, maximise re-use and recycling of wastes and ensure all materials and waste are handled according to the regulatory requirements.</p> <p>When considering compliance, it should also be noted that equivalent scale roads infrastructure projects throughout Scotland and the UK that have a similar Major impact in terms of materials have been approved on the basis of the suggested mitigation and the acceptance that essential and strategic road infrastructure schemes of this scale would normally require a significant amount of materials to construct. The proposed scheme therefore complies with Policy ER4 in this regard, so far as is possible for the nature of the development.</p>
Policy ER5 – Prime Agricultural Land	Chapter 8 (People and Communities - Community and Private Assets)	N/A	Policy ER5 seeks to protect prime agricultural land (classes 1, 2 and 3.1). No prime agricultural land is located with the study area and therefore the policy is not applicable.
Policy ER6 – Managing Future Landscape Change to Conserve and Enhance the	Chapter 13 (Landscape)	✓	Policy ER6 seeks to manage development and land use change to ensure that they accord with the aim to maintain and enhance the landscape quality of the local area.

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Diversity and Quality of the Area's Landscapes	Chapter 14 (Visual)	✓	<p>In summary, as the proposed scheme broadly follows the online route of the existing A9 in respect of land use change, the impact is relatively limited. However, to continue the comprehensive assessment carried out in DMRB Stage 2, the proposed scheme has been assessed against the following criteria:</p> <p>a) In relation to preservation of local distinctiveness, a number of landscape and other designations fall within the study area, including; Strath Tummel LLCA, the Pass of Killiecrankie LLCA and the Strath Tummel: Pitlochry (Settlement) LLCA. The proposed scheme would also have an impact on landscape features within the Loch Tummel NSA and Ben Vrackie SLA.</p> <p>It is concluded that the impacts of the proposed scheme will result in significant residual impacts on two of the LLCAs, Strath Tummel and Pass of Killiecrankie. While both of these impacts are expected to be significant during year opening, in the '15 year after opening' scenario, i.e. when identified mitigation such as planting has become fully established, the impact on the Strath Tummel LLCA would no longer create a significant impact on the local landscape, however the impact for the Pass of Killiecrankie would retain a significant impact. While this impact will be significant, consideration should be given to the existing influences on the landscape quality by the existing A9.</p> <p>b) In relation to the safeguarding of views, viewpoints and landmarks, it is considered that the influence of the existing A9 would limit the impact of the proposed scheme on built and outdoor receptors. As such, they would be unlikely to result in significant effects on landmarks and viewpoints. In this respect the visual impacts are therefore considered to be broadly compliant with criterion b.</p> <p>Criteria c) and d) seek to retain the relative tranquillity and wildness of the area's landscapes. The proposed scheme largely follows the online path of the existing A9 which has an existing influence on landscape character and features. As such, the proposed scheme does not conflict with criterion c and d.</p> <p>e) In relation to the provision of landscape mitigation and enhancement, both Chapter 13 (Landscape) and Chapter 14 (Visual) set out potential mitigation measures during construction and operation that would provide screening of views and reinforce the character of the existing landscape. The specific approach to mitigation includes replanting and screening. As noted above, this planting will not become established when the proposed scheme opens however it will gradually enable the proposed scheme to lessen its impact.</p> <p>f) Mitigation measures identified for the proposed scheme include general landscaping, new/replacement planting, replacement bunding, and grading out of embankments to minimise potential impacts on the landscape.</p> <p>g) In relation to the conservation of the experience of the night sky, mitigation measures including the avoidance of night-time working where possible and, where necessary, specific lighting used to minimise light pollution or glare will be implemented during the construction phase.</p> <p>Considering the above aspects of policy, it would be considered that the nature of the proposed scheme would create unavoidable impacts. However, given the design has sought to maintain a predominantly online design, and taking cognisance that the mitigation identified will lessen the impact in time; it is considered that the proposed scheme does contribute to managing the future landscape, in compliance with the overall aims of Policy ER6.</p>

Policy	Relevant Environmental Assessment Chapter(s)	Proposed Scheme	Summary
Policy EP1 – Climate Change, Carbon Reduction and Sustainable Construction	Chapter 10 (Geology, Soils, Contaminated Land and Groundwater) Chapter 16 (Air Quality) Chapter 18 (Materials)	✓ ✓ ✓	<p>Policy EP1 seeks to ensure sustainable construction principles are employed in new developments which will contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions. This policy is not directly relevant to road projects and is aimed at new buildings, but it is relevant to note that Chapter 16 (Air Quality) does assess regional emissions, including hydrocarbons and carbon dioxide, as a result of the proposed scheme. The conclusion was that there are no significant local air quality impacts at either human exposure locations or ecosystems/designated sites. A regional emissions assessment was undertaken for the year of opening (2026) and the design year (2041). The regional assessment predicted that emissions of NO_x, NO₂, PM and CO₂ will increase with the proposed scheme but these are not considered to be significant.</p> <p>As can be seen in Chapter 18 (Materials) estimates the use and consumption of material resources during the construction, the chapter also proposes mitigation measures to minimise use and maximise re-use and recycling. In cognisance, and compliance, with the carbon reduction aspects of the policy, the assessment utilises Transport Scotland’s Carbon Management System (CMS) to estimate the total embodied carbon emissions associated with resources used for construction of the proposed scheme. The resulting overall residual impact magnitude on material resources is anticipated to be moderate based on the assessment of embodied carbon.</p> <p>As noted in Chapter 10 (Geology, Soils, Contaminated Land and Groundwater), historical peat was identified in one borehole during the baseline survey work. However, it is considered that no loss peat is expected to occur as a result of the proposed scheme. Despite the identification, given the appropriate mitigation and assessment carried out it is considered that the proposed scheme will comply with the aspirations of Policy EP1.</p>
Policy EP2 – New Development and Flooding	Chapter 11 (Road Drainage and the Water Environment)	✓	<p>Policy EP2 sets out a general presumption against proposals for built development in areas where there is a significant probability of flooding.</p> <p>To ensure the project has a greater resilience to effects of climate change, in accordance with this policy, SPP and DMRB Guidance, Chapter 11 (Road Drainage and the Water Environment) provides an assessment of the potential for flood risk from the proposed scheme and proposed mitigation, including reducing surface runoff and the implementation of SuDS.</p> <p>For the proposed scheme a general approach to flood prevention has been adopted, this includes the provision of compensatory flood storage in the event where floodplains are lost or connectivity is reduced. Whilst both beneficial and residual impacts are reported in the chapter, it concludes that the overall net effect of the proposed scheme there will be a beneficial impact.</p> <p>As noted, SPP states that a precautionary approach should be adopted to all areas susceptible to flood risk and, as stated in Paragraph 263, Medium to High Risk (1:200 years) flood areas generally are not suitable for development in undeveloped and sparsely developed areas, unless a location is essential for operational reasons, including transport infrastructure. As the project is of strategic importance as a trunk road and develops on an existing route, it is assessed as being in accordance with Policy EP2 under this criterion.</p>
Policy EP3 – Water Environment and Drainage	Chapter 11 (Road Drainage and the Water Environment)	✓	<p>This policy states the requirement to employ SuDS measures. The proposed scheme includes outfalls that discharge routine road runoff to receiving water features. In Scotland, SuDS are a legal requirement under the Controlled Activities Regulations (CAR) 2011 (as amended). A minimum of two levels of SuDS would be included for the proposed scheme, where possible, in agreement with SEPA and SNH and therefore it is expected to comply with policy.</p>

Policy	Relevant Environmental Assessment Chapter(s)	Proposed Scheme	Summary
Policy EP4 – Health and Safety Consultation Zones	n/a	N/A	Within the designated Pipeline Consultation Zones the Council will seek and take full account of the advice from the Health and Safety Executive. As the project is not located within the designated zone, this policy is not applicable.
Policy EP5 – Nuisance from Artificial Light and Light Pollution	n/a	✓	Artificial lighting will be required on the Pitlochry North grade-separated Junction, where the slip road meets with the local road network. In addition, it is proposed to light the Rob Roy underpass and also part of the Middleton of Fonab Cottages access track. The lighting at these locations will be compliant with regulation standards for a project of this nature and is not considered to have a detrimental effect on any sensitive receptors in both the natural and built environment. It is considered that this is compliant with Policy EP5.
Policy EP6 – Lunan Valley Catchment Area	Chapter 11 (Road Drainage and the Water Environment)	N/A	Data provided by PKC has indicated that the Lunan Valley Catchment Area is not located within the assessment area of the project and as such is not of consideration to this compliance assessment.
Policy EP7 – Drainage within the Loch Leven Catchment Area	Chapter 11 (Road Drainage and the Water Environment)	N/A	As above.
Policy EP8 – Noise Pollution	Chapter 17 (Noise and Vibration)	X	Policy EP8 presumes against the siting of developments which will generate high levels of noise which will negatively impact sensitive receptors. Chapter 17 (Noise and Vibration) compiled noise modelling for sensitive receptors within the defined study area (including dwellings). After mitigation has been implemented it is considered that residual operational noise in the short-term will impact 81 sensitive noise receptors, including 70 dwellings considered to have a significant impact. In the long-term the amount of affected dwellings will reduce to 7 experiencing a significant impact once mitigation has been embedded. Despite this reduction, due to the nature of the scheme and increase in traffic, impacts will occur to the amenity of neighbours which would not fully be mitigated. As a result, while design and mitigation measures have sought to address the aims of the policy, the proposed scheme would not fully comply with Policy EP8, largely due to the scale and nature of the proposed scheme.
Policy EP9 – Waste Management Infrastructure	n/a	N/A	Policy relates to the siting and development of energy and waste/resource management infrastructure therefore is not applicable to this project.
Policy EP10 – Management of Inert and Construction Waste	n/a	N/A	Policy relates to planning applications for the recycling and processing of inert and construction waste therefore is not applicable to this project.
Policy EP11 – Air Quality Management Areas	Chapter 16 (Air Quality)	N/A	There are no designated Air Quality Management Areas that would be affected by the proposed scheme.
Policy EP12 – Contaminated Land	Chapter 10 (Geology, Soils, Contaminated Land and Groundwater)	✓	Policy EP12 seeks to ensure that development on contaminated land is appropriate in terms of remediation measures and use of the land. The potential for impacts on human health and water environment as a result of interaction with contaminated land is identified and assessed in Chapter 10 (Geology, Soils, Contaminated Land and Groundwater). Forty-eight potentially contaminated land sources have been identified (including made ground; backfilled quarries/pits; railway; storage tanks; a former rifle range and an active quarry). A number of potential contaminated land issues were identified, which would

Policy	Relevant Environmental Assessment Chapter(s)	Proposed Scheme	Summary
			require mitigation measures during construction. The residual impacts on contaminated land are expected to be of Low to Very Low significance. The proposed scheme is compliant with this policy.
Policy EP15 – Development Within the River Tay Catchment Area	Chapter 12 (Ecology and Nature Conservation)	N/A	This policy seeks to protect and enhance the nature conservation interests within the River Tay Catchment area. The policy lists criteria that should be applied to development proposals at a number of specific locations, as can be seen in Appendix A19.1 (Planning Policy Context for Environmental Assessment). As the project is not located within one of the specified locations the policy is not applicable to this assessment.

2 References

Jacobs (2016) (*on behalf of Transport Scotland*). A9 Dualling Programme: Pitlochry to Killiecrankie – DMRB Stage 2 Scheme Assessment Report

Perth & Kinross Council (2014). Perth & Kinross Council Local Development Plan.

Scottish Government (2013). 2020 Challenge for Scotland's Biodiversity - A Strategy for the conservation and enhancement of biodiversity in Scotland.

TAYplan (2017). TAYplan Strategic Development Plan 2016 – 2036.