

A18.1: Assessment of Development Plan Policy Compliance

- 1.1.1 Table 1 in this appendix lists the key policies that may affect the development of the proposal.
- 1.1.2 Policies that are marked with a tick ✓ indicate that the proposed scheme is generally compliant. Policies that are marked with X indicate that the proposed scheme does not comply with the local or regional policy.
- 1.1.3 Those ES chapters that are relevant to individual policies are cross-referenced.

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Table 1: Assessment of Policy Compliance of the Proposed Scheme

Policy	Relevant ES Chapter(s)	Compliance with Policy	Summary
TAYplan Strategic Development Plan 2012			
Policy 2 Shaping better quality places	Chapter 7 (Community and Private Assets) Chapter 16 (Effects on All Travellers) Chapter 17 (Materials)	✓ ✓ ✓	As part of the A9 dualling programme, the proposed scheme aims to: <ul style="list-style-type: none"> Improve access to the tourist and recreation sites. Improve links to pedestrian, cycling and public transport facilities. Provide environmental relief and reduced severance for some communities. <p>The proposed scheme therefore supports the objectives of policy 2 which seeks to ensure the integration of transport and land use to: reduce the need to travel and improve accessibility by foot, cycle and public transport.</p>
Policy 3 Managing TAYplan's Assets	Chapter 7 (Community and Private Assets) Chapter 8 (Geology, Contaminated Land & Groundwater) Chapter 9 (Road Drainage and the Water Environment) Chapter 10 (Ecology and Nature Conservation) Chapter 11 (Landscape) Chapter 12 (Visual) Chapter 13 (Cultural Heritage) Chapter 14 (Air Quality)	✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓	Identifies the importance of understanding and respecting the regional distinctiveness of the TAYplan area through safeguarding its assets. <p>Impacts of the proposed scheme on nature conservation, cultural heritage, landscape and visual impacts, water, soils & geology, air, noise, traffic and community and private assets have been rigorously assessed in the relevant topic chapters.</p> <p>Where appropriate, mitigation measures are proposed and it is concluded that the implementation of the proposed mitigation measures will render any residual impact to be not significant. Accordingly the proposed scheme will not adversely affect the character or distinctiveness of the TAYplan area.</p>
Perth Area Local Plan 1996			
Policy 1 General Policies	Chapter 10 (Ecology and Nature Conservation)	✓	Policy states that where possible, development be carried out in a manner in keeping with the goal of sustainable development. As noted in Chapter 4 (The Proposed Scheme), consideration of sustainable development has informed development of the proposed scheme, with a key objective "to support sustainable development and economic growth" by improving efficiency of the network.
Policy 4 Pipeline Consultation Zones	Chapter 16 (Community and Private Assets)	✓	Policy notes that the consultation zones are the responsibility of the Health and Safety Executive and identify areas within which they must be consulted over certain types of development proposals. Where necessary, consultation with the Health and Safety Executive will be undertaken to ensure that the proposed scheme will not have an adverse impact on the pipelines present within the study area.
Policy 5 Agriculture	Chapter 7 (Community and Private Assets)	X	Policy advises that the Council will support agriculture remaining as a major land use and source of employment in the Plan area and there will a presumption against the use of prime quality agricultural land for irreversible development.

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Policy	Relevant ES Chapter(s)	Compliance with Policy	Summary
Policy 5 (continued..)			The proposed scheme would result in the removal of some prime agricultural land, as discussed in Chapter 7 (Community and Private Assets), and therefore would be non-compliant with this policy. However, there were no significant impacts identified and the affected farms have been assessed as viable as a result of the proposed scheme. Mitigation measures have also been identified within the chapter to reduce these impacts.
Policy 11 Areas of Great Landscape Value Policy 16 National Scenic Area Policy 17 Historic Gardens and Designed Landscapes	Chapter 11 (Landscape) Chapter 12 (Visual) Chapter 13 (Cultural Heritage)	✓ ✓ ✓	Policies 11, 16 and 17 seek to preserve, protect and enhance designated landscapes including Areas of Great Landscape Value, national scenic areas, historic gardens and designed landscapes. Measures to avoid or reduce impacts on the historic landscapes have been incorporated in the design of the proposed scheme. Landscape mitigation including planting is proposed to aid the integration of the proposed scheme into the surrounding landscape and reduce its prominence. It is considered that the proposed scheme supports the provisions of these planning policies.
Policy 19 Nature Conservation	Chapter 10 (Ecology and Nature Conservation)	✓	Development will not be supported which would damage the integrity of Sites of Special Scientific Interest, designated Scottish Wildlife Trust Sites or other sites of natural history interest. The assessment in Chapter 10 (Ecology and Nature Conservation) concluded that with the designed mitigation incorporated into the construction and operation of the proposed scheme, there would be no implications upon site integrity or conservation objectives for the qualifying species of these designated sites.
Policies 21-23 Archaeology	Chapter 13 (Cultural Heritage)	✓	The proposed scheme would not impact upon any Scheduled Ancient Monuments. If unidentified remains are discovered, site investigation and excavation would be carried out if necessary, thus protecting unknown remains of importance. The preferred mitigation option for archaeological sites is to preserve them in situ. Where this is not possible, the alternative would be preservation by record. Accordingly the proposed scheme would support the objectives of policies 21-23.
Policy 25 Listed Buildings	Chapter 13 (Cultural Heritage)	✓	The development proposal will not have a detrimental effect on the character, integrity or setting of the surrounding historic buildings. The assessment outlined in Chapter 13 (Cultural Heritage) concluded that after mitigation, there would be a Slight or Neutral impact on historic properties within the surrounding area and as such, satisfies the requirements of Policy 25.
Policy 30 Public Access and Informal Recreation	Chapter 7 (Effects on All Travellers)	✓	Policy seeks to improve public access to the countryside and informal recreational provision, particularly adjacent to Perth city, within the Areas of Great Landscape Value and along the banks of the Tay. The proposed scheme will ensure that existing access and connections with the wider local and strategic network are retained.

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Policy	Relevant ES Chapter(s)	Compliance with Policy	Summary
Highland Area Local Plan 2000			
Policy 1 Sustainable Development	Chapter 7 (Community and Private Assets) Chapter 8 (Geology, Contaminated Land & Groundwater) Chapter 9 (Road Drainage and the Water Environment) Chapter 10 (Ecology and Nature Conservation) Chapter 11 (Landscape) Chapter 12 (Visual) Chapter 13 (Cultural Heritage) Chapter 14 (Air Quality) Chapter 15 (Noise and Vibration) Chapter 16 (Effects on all Travellers) Chapter 17 (Materials)	✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓	<p>Policy seeks to ensure, where possible, that development within the Plan area is carried out in a manner in keeping with the goal of sustainable development.</p> <p>This includes ensuring that new development should meet local needs and enhance access to employment, facilities, services and goods. One of the prime functions of the Local Plan is to encourage economic, social and environmental regeneration.</p> <p>The key objectives of the proposed scheme, as part of the wider A9 dualling programme, are centred upon the following:</p> <ul style="list-style-type: none"> • Economic growth. • Dual carriageway connectivity between all of Scotland's cities. • Improved road safety and a reduction in the occurrence of driver frustration • Improved journey times and reliability. • Improved access to the tourist and recreation sites. • Improved links to pedestrian, cycling and public transport facilities. • Environmental relief and reduced severance for some communities. <p>The proposed scheme supports the economic, social and environmental objectives of Policy 1 in all respects.</p>
Policy 2 Development Criteria Policies 3-4 Landscape	Chapter 11 (Landscape) Chapter 12 (Visual)	✓ ✓	<p>Policies require that the design and siting of development respects the character and amenity of a place and should be compatible with the distinctive characteristics and features of Perth & Kinross's landscapes.</p> <p>Appropriate mitigation measures to minimise landscape impacts have been identified in this ES in Chapter 11 (Landscape) and include measures such as landscape planting and screening to reduce the level of adverse impacts related to the proposed scheme. The assessment in Chapter 11 determined that after mitigation none of the residual effects on landscape were assessed as Significant due to the sensitive scheme design and mitigation measures proposed. Accordingly the proposed development complies with policies 2-4.</p>
Policy 5 Design	Chapter 13 (Cultural Heritage) Chapter 17 (Materials)	✓ ✓	<p>Policy demands high standards of design for all development in the Plan Area and promotes the use of appropriate and high quality materials. Encouragement is also given to ensuring that new development is in keeping with its location.</p> <p>Careful consideration has been given to alignment, noise mitigation, siting, and design. The proposed scheme has also taken cognisance of the design policy requirements of the Strategic Environmental Assessment (SEA) undertaken for the A9 dualling programme and complies with the requirements of policy 5 in all respects.</p>
Policy 7 Flood Risk	Chapter 9 (Road Drainage and the Water Environment)	✓	<p>Mitigation for the operational phase of the proposed scheme will include Sustainable Urban Drainage Systems (SUDS) for receiving waterbodies to manage surface water runoff and minimise pollution.</p>

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Policy 13 -17 Nature Conservation	Chapter 10 (Ecology and Nature Conservation)	✓	<p>Policies 13-17 seek to safeguard international, national, regional or locally important sites and species. A Habitat Regulations Appraisal (HRA) is currently being undertaken for the River Tay Special Area of Conservation (SAC). The assessment undertaken within Chapter Ecology 10 has identified potential effects on the remaining designated sites.</p> <p>This assessment concludes that, with the designed mitigation incorporated into the construction and operation of the proposed scheme, there would be no likely significant effects upon site integrity or conservation objectives for the qualifying species of these sites.</p>
Policy 18-19 Designated Landscapes	Chapter 11 (Landscape) Chapter 12 (Visual)	✓ ✓	<p>The assessment in Chapter 11 determined that, after mitigation, none of the residual effects on landscape or visual impacts were assessed as Significant due to the sensitive scheme design and mitigation measures proposed. Accordingly the proposed development complies with Policies 18 and 19.</p>
Policy 22 Trees	Chapter 10 (Ecology and Nature Conservation) Chapter 11 (Landscape) Chapter 12 (Visual)	✓ ✓ ✓	<p>The Council will seek to protect native woodland from development. The proposed scheme would not have an adverse impact on native woodland and therefore complies with the requirements of policy NE2.</p>
Policies 25-27 Archaeology	Chapter 13 (Cultural Heritage)	✓	<p>The proposed scheme would not impact upon any Scheduled Monuments. Mitigation measures have been proposed within Chapter 13 (Cultural Heritage) for the treatment and protection of any sites that are discovered during construction of the proposed scheme. Therefore the proposed development is compliant with this policy.</p>
Policy 28 Listed Buildings	Chapter 13 (Cultural Heritage)	✓	<p>The development proposal will not have a detrimental effect on the character, integrity or setting of the surrounding listed building(s).The assessment outlined in Chapter 13 (Cultural Heritage) concluded that there would be no significant impacts on listed properties in the surrounding area and as such, satisfies the requirements of policy 28.</p>
Policy 34 Public Access and Informal Recreation Policy 44 Cycling	Chapter 16 (Effects on All Travellers)	✓	<p>Policies seek to improve public access to the countryside and informal recreation provision for a wide range of users including people with disabilities, cyclists, walkers and horse riders throughout the Plan area.</p> <p>The proposed scheme is compliant with both policies as existing connections would be maintained to local and strategic paths for Non-Motorised Users.</p>
Policy 42 Roads and Transport	Chapter 16 (Effects on All Travellers)	✓	<p>Policy will encourage and promote improvements to public transport provision particularly where they result in the improved use of the rail network for both passenger and freight traffic.</p> <p>A key objective of the A9 dualling programme is to improve links to pedestrian, cycling and public transport facilities. Accordingly the proposed scheme supports the objectives of policy 42.</p>
Policy 46 Agriculture	Chapter 7 (Community and Private Assets)	X	<p>As per policy 5, the proposed scheme would require to be constructed on some prime agricultural land due to its locational requirements, as discussed in Chapter 7 (Community and Private Assets), and therefore the proposed scheme would be non-compliant with this policy. However, mitigation measures have also been identified within the chapter to reduce these impacts. Taking into account land loss and severance, the affected farms have been assessed as remaining viable with the proposed scheme.</p>

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Perth and Kinross Local Development Plan (Proposed Plan) 2012			
Policy PM1 Placemaking	Chapter 14 (Air Quality) Chapter 7 (Community and Private Assets) Chapter 17 (Materials)	✓ ✓ ✓	Developers are required to demonstrate that the quality of the natural environment is maintained or improved as part of the proposal. PKLDP Policy PM1 (including PM1A and B) demands that development contributes positively to the quality of the surrounding built and natural environment. The assessments in chapters 7-17 concluded that after mitigation, the proposed scheme would not have significant adverse impacts on the area's built or natural assets as a result of the works.
Policy TA1 Transport Standards and Accessibility Requirements	Chapter 14 (Air Quality) Chapter 16 (Effects on All Travellers)	✓ ✓	Encouragement will be given to the retention and improvement of existing infrastructure providing the improvements are compatible with adjoining land uses. The proposed scheme would contribute to the wider Government strategy to improve the capacity and efficiency of the A9. Consideration has been given to alignment, noise mitigation, siting, and design. Appropriate mitigation measures have been identified in this ES to reduce the level of adverse impacts related to the proposed scheme. Accordingly the proposed scheme complies with this policy in all respects.
Policy CF1: Open Space Retention and Provision	Chapter 7 (Community and private Assets)	✓	Policy CF1A states that development proposals resulting in the loss of sports pitches, parks and open space will not be permitted, except in certain circumstances. There will be no impact on these areas as a result of the proposed scheme. Accordingly the provisions of policy CF1 will not be compromised.
Policy CF3 Community Facilities	Chapter 7 (Community and Private Assets)	✓	No permanent or temporary land-take is planned from community land or property. The proposed scheme therefore complies with the requirements of this policy.
Policy HE1 Scheduled Monuments and Non-Designated Archaeology	Chapter 13 (Cultural Heritage)	✓	The proposed scheme would not impact upon any Scheduled Ancient Monuments. Mitigation measures proposed within Chapter 13 (Cultural Heritage) include archaeological recording during construction and where there is some potential for unidentified archaeological remains to be present, archaeological monitoring to be undertaken. Therefore, the proposed scheme would not conflict with policy BE1.
Policy HE2 Listed Buildings	Chapter 13 (Cultural Heritage)	✓	The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the buildings character, appearance and setting. The impacts of the proposed scheme have been assessed in Chapter 13 (Cultural Heritage). Residual impacts during operation on all historic buildings were identified to be of Slight or Neutral significance. Mitigation measures have been proposed to minimise impacts.
Policy HE4 Gardens and Designed Landscapes	Chapter 13 (Cultural Heritage)	✓	Policy seeks to protect and enhance the integrity of those sites included on the current inventory of Gardens and Designed Landscapes. The special architectural and historic character and features of historic gardens and designed landscapes has been considered throughout the design process and appropriate mitigation measures are proposed. The proposed scheme would not adversely impact on designed landscapes and gardens within the study area as assessed in Chapter 13 (Cultural Heritage) and therefore is compliant with this policy.
Policy NE1 Environment	Chapter 8 (Geology, Contaminated	✓	Policy determines that development which would affect an area designated as being of local nature conservation or

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and Conservation Policies	Land & Groundwater) Chapter 9 (Road Drainage and the Water Environment) Chapter 10 (Ecology and Nature Conservation)	✓ ✓	geological interest will not normally be permitted, except where the objectives of the designation and overall integrity of the designated area would not be compromised; or any adverse effects are clearly outweighed by social and economic benefits. The assessment concluded that there will be no significant impacts on ecological receptors as a result of the proposed scheme.
Policy NE2 Forestry, Woodland and Trees	Chapter 11 (Landscape) Chapter 12 (Visual) Chapter 10 (Ecology and Nature Conservation)	✓ ✓ ✓	Policy seeks to protect trees and woodland of value in the Perth and Kinross Council Area Impacts on mature trees and woodlands including Muir of Thorn, Gelly Wood and Five Mile Wood would be mitigated by measures listed in Chapter 10 (Ecology and Nature Conservation) and 11 (Landscape). The assessments concluded that the proposed scheme would not have a significant impact on the trees and woodland within the study area and therefore satisfies the requirements of policy NE2.
Policy NE3 Biodiversity	Chapter 10 (Ecology and Nature Conservation)	✓	Policy aims to protect and enhance all wildlife and wildlife habitats, including grasslands, wetlands and peat-lands and habitats that support rare or endangered species. The ecology assessment outlined in Chapter 10 (Ecology and Nature Conservation) determined that with the implementation of the proposed mitigation measures the proposed scheme will not have an adverse impact on designated sites or biodiversity and is compliant with this policy in all respects.
Policy NE5 Green Belt	Chapter 11 (Landscape) Chapter 12 (Visual) Chapter 7 (Community and Private Assets)	✓ ✓ ✓	For essential infrastructure such as roads and other transport infrastructure it must be demonstrated that a green belt location is required and appropriate measures to mitigate any adverse impact on the character of the Green Belt has been considered. The proposed scheme will result in the loss of a small area of proposed Green Belt in the southernmost section of the proposed scheme. The impact on the proposed Green Belt has been assessed in Chapter 7 (Community and Private Assets). The proposed improvements to the A9 have been identified as a national priority and by reason of its sensitive design and minimal landtake, it is considered that the proposed scheme would not have an adverse impact on the character or integrity of the proposed Green Belt designation. Accordingly, the proposal complies with Policy NE5.
Policy ER5 Prime Agricultural Land	Chapter 7 (Community and Private Assets)	✓	Outside the identified settlements development on prime agricultural land will not be permitted unless it is necessary to meet a specific established need such as a major infrastructure proposal and there is no other suitable site available on non prime land. The proposed scheme would result in the loss of some land identified as 'prime quality' under the Land Capability for Agriculture (LCA) 2 classifications. This is discussed in Chapter 7 (Community and Private Assets). The proposed scheme which is identified as development of national priority, has sought to avoid sensitive land and buildings. Additionally, suitable mitigation measures to reduce adverse impacts have been identified in Chapter 13 including the return of land to agricultural use post-construction, where practical.
Policy ER6 Managing	Chapter 11 (Landscape)	✓	Development and land use change should be compatible with the distinctive characteristics and features of Perth &

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Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes	Chapter 12 (Visual)	✓	<p>Kinross's landscapes.</p> <p>The main residual impacts would be site-specific as a result of the proposed embankments and cuttings, and loss of mature or established planting. The residual impacts will be most significant at the Tullybelton/Stanley junction, where alterations to the landscape topography are greatest, and the Muir of Thorn/Gelly wood, where small areas of semi-natural, ancient woodland will be lost.</p> <p>A variety of landscape and visual mitigation measures have been incorporated through the design of the proposed scheme in order to address any potential effects. The assessment in Chapter 11 (Landscape) determined that after mitigation, none of the residual effects on landscape or visual impacts were assessed as Significant due to the sensitive scheme design and mitigation measures proposed.</p>
Policy EP1 Climate Change, Reduction and Sustainable Construction	Chapter 14 (Air Quality)	✓	<p>Sustainable design and construction will be integral to new development in Perth and Kinross. Proposals should demonstrate how developments will uphold sustainable construction principles and contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.</p> <p>Consideration of sustainable development issues has informed the development of the proposed scheme, with a key objective being "to support sustainable development and economic growth" by improving the efficiency of the network. Impacts of the proposed scheme have been assessed in Chapter 14 (Air Quality). The assessment concluded that after mitigation, there would be no significant air quality impacts as a result of the proposed scheme.</p>
Policy EP2: New Development and Flooding	Chapter 9 (Road Drainage and the Water Environment)	✓	<p>The proposed scheme has incorporated SUDS measures within the project design to protect against flooding and watercourse pollution. Chapter 9: (Road Drainage and the Water Environment) includes identification of potential impacts on drainage and lists appropriate mitigation measures. Therefore the proposed scheme is compliant with this policy.</p>
Policy EP3 Water Environment and Drainage	Chapter 9 (Road Drainage and the Water Environment)	✓	<p>Policy states that all new development will be required to employ Sustainable Drainage Systems (SUDS) measures.</p> <p>The proposed scheme has incorporated SUDS measures within the project design to protect against flooding and watercourse pollution. Chapter 9 (Road Drainage and the Water Environment) includes identification of potential impacts on drainage and watercourse pollution and lists appropriate mitigation measures. Accordingly the requirement for SUDS has been satisfied.</p>
Policy EP4 Health and Safety Consultation Zones	Chapter 7 (Community and Private Assets)	✓	<p>As per policy 4 of the Highland Area Local Plan, where necessary, consultation with the Health and Safety Executive will be undertaken to ensure that the proposed scheme will not have an adverse impact on the pipelines present within the study area.</p>
Policy EP8 Noise Pollution	Chapter 15 (Noise and Vibration)	X	<p>The Policy states that there will be a presumption against the siting of development proposals which will generate high levels of noise in the locality of existing or proposed noise sensitive land uses and similarly against the locating of noise sensitive uses near to sources of noise generation. A Noise Impact Assessment will be required for those development proposals where it is anticipated that a noise problem is likely to occur.</p> <p>The assessment in Chapter 15 (Noise and Vibration) predicted that the proposed scheme will cause temporary adverse noise impacts during construction on a number of neighbouring properties. The proposed scheme would therefore fail to comply with policy in this respect. However, the potential impacts have been subject to a detailed noise assessment as described in Chapter 15 (Noise and Traffic Vibration) and mitigation measures have been</p>

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			included to minimise noise impacts on neighbouring properties which are listed in Chapter 15 (Noise and Vibration). The assessment in Chapter 15 concluded that with the proposed scheme in place no receptor will experience perceptible noise increases.
Policy EP12 Contaminated Land	Chapter 8 (Geology, Contaminated Land & Groundwater)	✓	<p>A number of potential pollution sources, exposure and migration pathways have been identified for the site along with potential receptors that may be at risk and these are discussed in Chapter 8 (Geology, Contaminated Land & Groundwater).</p> <p>The assessment detailed in Chapter 8 determined that due to the low to moderate recorded concentrations, low flow rates, and anticipated limited shallow below ground excavations, the potential impact significance is Low. It is therefore considered that the proposed scheme meets the requirement of policy EP9.</p>