

# Appendix 19.2

## Planning Policy Context for Environmental Assessment

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## 1 Policy Context to ES Chapters

1.1.1 This appendix supports the assessment presented in **Chapter 19** in relation to the Proposed Scheme of Project 7 – Glen Garry to Dalwhinnie of the A9 Dualling Programme.

1.1.2 The following sections provide a summary of the key planning policies that are relevant to each environmental topic contained within the Environmental Statement (ES).

### 1.2 Policy Context for Chapter 8: Community and Private Assets

1.2.1 National planning policy on a variety of themes is contained in Scottish Planning Policy (SPP). Key provisions of SPP on community and private assets are:

- Achieving a sustainable economy
- To support the efficient use of land, buildings and infrastructure
- Promoting regeneration and the full and appropriate use of land, buildings and infrastructure
- Supporting development which will enhance local competitiveness and promoting the creation of mixed communities
- Promoting the integration of employment generation opportunities with supporting infrastructure and housing development
- To support healthier living by improving the quality of the built environment, by increasing access to amenities, services and active travel opportunities, and by addressing environmental problems affecting communities

1.2.2 **Table 1** below provides a summary of the key policies that are of relevance to community and private assets. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19.1 (Volume 2)** and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 1: *Planning Policy Framework for Community and Private Assets*

Policy Ref	Title	Summary of Policy
<b>Planning Advice Notes (PAN) and Circulars</b>		
PAN 65	Planning and Open Space (2008)	This PAN provides advice on the role of the planning system in protecting, enhancing and creating open spaces
Circular 18/1987	Development Involving Agricultural Land	This Circular highlights important issues to be addressed in relation to development on agricultural land and includes mitigation of impacts related to land-take and severance
<b>National Planning Framework 3 (NPF3) (2014)</b>		
Page 49	A flexible strategy for diverse places – Scotland's National Parks	Seeks to achieve positive planning and innovation and will continue to strengthen communities, encourage investment, support tourism, deliver affordable rural housing and encourage high quality place-making and visitor experiences in national parks
<b>Cairngorms National Park Local Development Plan (CNPLDP) (2015)</b>		
Policy 2	Supporting Economic Growth	Policy 2 encourages proposals which support or extend the economy or which enhance the range and quality of economic opportunities or facilities will be considered favourably, especially where it supports the vitality and viability of the local economy and the broader economy of the Park

Policy Ref	Title	Summary of Policy
Policy 8	Sport and Recreation	Policy 8 seeks to protect existing sport and recreational facilities. Policy sets out criteria which must be complied with, should development result in the loss or reduction in sport or recreation facilities

### 1.3 Policy Context for Chapter 9: Effects on All Travellers

1.3.1 National planning policy on a variety of themes is contained in SPP. Key provisions of SPP relevant to assessing potential effects on vehicle travellers (views from the road, driver stress) and effects on pedestrians, cyclists and equestrians (referred to as non-motorised users (NMUs) are:

- Promoting sustainable development
- To prioritise opportunities for personal travel by mode in the following order – walking, cycling, public transport, car and other motorised vehicles
- To encourage improvements to active transport networks, such as paths and cycle routes, in urban and rural areas that will support more sustainable travel choices
- Improving the natural environment and the sustainable use and enjoyment of it
- To facilitate positive change whilst maintaining and enhancing the distinctive character of the landscape in both the countryside and urban areas

1.3.2 **Table 2** provides a summary of the key policies that are of relevance to Effects on All Travellers. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19.1**, and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 2: Planning Policy Framework for Effects on All Travellers

Policy Ref	Title	Summary of Policy
<b>National Planning Framework 3 (NPF3) (2014)</b>		
Paragraph 5.5	Scotland Today	NPF3 states that greenhouse gas emissions from the transport sector remain high; therefore, government wants to increase levels of everyday cycling and walking, with Action Plans for both walking and cycling
Paragraph 5.20	Spatial priorities for change	Paragraph 5.20 recognises the essential role the road network plays in connecting cities by car, public transport and active travel
<b>Planning Advice Notes (PAN) and Circulars</b>		
PAN 75	Planning for Transport (2005)	This PAN provides advice for local planning authorities and developers on their policy development, proposal assessment and project delivery in relation to transport.
<b>Scotland's National Transport Strategy (2006)</b>		
Paragraph 111	Managing demand on the network	In order to ensure more reliable journey times and reduce congestion there needs to be management of demand on the transport network
<b>The Transport Strategy for the Highland and Islands 2008-2021 (2008)</b>		
Executive Summary	Objectives	The primary objective of this strategy is to "improve the interconnectivity of the whole region to strategic services and destinations to enable the region to compete and support growth"

Policy Ref	Title	Summary of Policy
<b>Let's Get Scotland Walking: The National Walking Strategy (published 2014)</b>		
3 Strategic Aims	Our Vision	Aims of the strategy include; creating a culture of walking, better walking environments throughout Scotland and ensuring easy, convenient independent mobility for all
<b>The Trunk Road Cycling Initiative (1996)</b>		
Point 3.5	Special consideration for cyclists in all new trunk road schemes and within improvements of existing trunk roads	Important to fully consider the effect on cyclists of all new trunk road schemes and within improvements of existing trunk roads. Furthermore, to promote road safety for cyclists with trunk roads
<b>The Fitting Landscapes – Securing More Sustainable Landscape (2014)</b>		
Section 8	Status and Aims of Fitting Landscapes	This document states that transport corridors can direct or screen views, create vistas and inform how we read and perceive landscape. It is therefore important to understand the value of views and design to create and retain views and vistas
<b>CNPLDP (2015)</b>		
Policy 2	Supporting Economic Growth	Policy 2 encourages proposals which support or extend the economy or which enhance the range and quality of economic opportunities or facilities, especially where it supports the vitality and viability of the local economy and the broader economy of the Park
Policy 3	Sustainable Design	Policy 3 requires developments to consider sustainable design principles and obligates schemes to complete a design statement. In terms of all travellers, this policy states that the Proposed Scheme should promote sustainable transport methods, and maintain and maximise all opportunities for outdoor access, including links into the existing path network
Policy 8	Sport and Recreation	Policy 8 seeks to protect existing sport and recreational facilities. Policy 8 sets out criteria which must be complied with, should development result in the loss or reduction in sport or recreation facilities

## 1.4 Policy Context for Chapter 10: Geology, Soils and Groundwater

1.4.1 National planning policy on a variety of themes is contained in SPP. The key provisions as set out in the SPP regarding geology, soils and groundwater are:

- Promoting sustainable development
- To support healthier living by improving the quality of the built environment and by addressing environmental problems affecting communities
- To prevent further development which would be at risk from flooding or coastal erosion
- To encourage planning authorities to take the probability of flooding from all sources – (coastal, fluvial (water course), pluvial (surface water), groundwater, sewers and blocked culverts) and the risks involved into account when preparing development plans and determining planning applications
- To take into account the implications of development for water, air and soil quality

1.4.2 **Table 3** provides a summary of the key policies that are of relevance to geology, soils and groundwater. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19.1 (Volume 2)** and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 3: Planning Policy Framework for Geology, Soils and Groundwater

Policy Ref	Title	Summary of Policy
<b>PAN</b>		
PAN 33	Development of Contaminated Land (2000)	PAN 33 provides guidance on the determination of planning applications when the site is, or may be, contaminated. Key policy themes of relevance to geology, soils and groundwater include protection of soils and peat, protection of the water environment, maintaining geodiversity, sustainability of use and remediation of contamination
<b>CNPLDP (2015)</b>		
Policy 4	Natural Heritage	Development that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it will not adversely affect the integrity of the area or any such adverse effects are clearly outweighed by social, economic and environmental benefits of national importance
Policy 10	Resources	This policy seeks to avoid unacceptable detrimental impacts on the water environment and development should be free from significant risk of flooding. This policy seeks to safeguard existing strategic waste management facilities and ensure minimisation of waste from the construction of the development and throughout the life of the development. Any development affecting mineral reserves should protect future viable extraction of a workable mineral reserve. This policy protects soil and peat from commercial extraction and seeks to minimise disturbance to soils and peat. With regard to contaminated land, Policy 10 seeks to ensure assessments are undertaken to identify potential impacts in order to include mitigation

## 1.5 Policy Context for Chapter 11: Road Drainage and the Water Environment

1.5.1 National planning policy on a variety of themes is contained in SPP. Key provisions of SPP on road drainage and the water environment are:

- To support development that will contribute to sustainable economic growth and to high quality sustainable places
- To take into account the implications of development for water, air and soil quality
- Improving the natural environment and the sustainable use and enjoyment of it
- To manage flooding to reduce its economic and social consequences and safeguard services and infrastructure

1.5.2 SPP encourages planning authorities to take into account the probability of flooding from all sources and consider the risks involved when preparing development plans and determining planning applications.

1.5.3 **Table 4** provides a summary of the key policies that are of relevance to road drainage and the water environment. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19.1** and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 4: Planning Policy Framework for Road Drainage and the Water Environment

Policy Ref	Title	Summary of Policy
<b>PAN</b>		
PAN 61	Planning and Sustainable Urban Drainage Systems (2001)	This PAN provides information on the planning process for flooding and how local authorities and developers should act to mitigate the effects. It reiterates the SPP requirement to have regard to the probability of flooding from all sources i.e. fluvial, pluvial, sewer, groundwater, and coastal. It also promotes an integrated and precautionary approach to flood management outlined in SPP. The Scheme addresses the planning advice by following development management points set out and by undertaking a Strategic Flood Risk Assessment (SFRA) to inform the development planning process, and a Flood Risk Assessment (FRA) will be produced to support the ES
PAN 79	Water and Drainage (2006)	Clarifies the role of the planning authority in setting the direction of development to inform the planning and delivery of new water infrastructure in a coordinated way. The note explains the roles of Scottish Water and Scottish Environmental Protection Agency (SEPA) and encourages joint working in order to ensure a common understanding of capacity constraints and agreement on the means of their removal. It advises on the appropriateness of private schemes and the handling of Scottish Water developments
<b>CNPLDP (2015)</b>		
Policy 10 (1)	Water Resources	Policy 10 (1) seeks to minimise the use of treated and abstracted water and avoid unacceptable detrimental impacts on the water environment
Policy 10 (2)	Water Resources: Flooding	Proposed developments should be free from significant risk of flooding and not increase flooding elsewhere

## 1.6 Policy Context for Chapter 12: Ecology and Nature Conservation

1.6.1 National planning policy on a variety of themes is contained in SPP. The key provision of the SPP regarding ecology and nature conservation are as follows:

- To protect and enhance the natural environment, including biodiversity and the landscape
- Improving the natural and the sustainable use and enjoyment of it
- To support healthier living by improving the quality of the built environment and by addressing environmental problems affecting communities
- To support habitat connectivity
- To preserve ancient and semi – natural woodland as well as other native and long established woodlands with high nature conservation value
- SPP indicates that planning authorities should adopt a broad approach to natural heritage SPP states that planning authorities should support opportunities for enjoyment and understanding of natural heritage.

1.6.2 **Table 5** below provides a summary of the key policies that are of relevance to ecology and nature conservation. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19. 1** and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 5: Planning Policy Framework for Ecology and Nature Conservation

Policy Ref	Title	Summary of Policy
<b>CNPLDP (2015)</b>		
Policy 3	Sustainable Design	This policy states that development should be designed to create opportunities to further biodiversity and promote ecological interest

Policy Ref	Title	Summary of Policy
Policy 4	Natural Heritage	Development that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it will not adversely affect the integrity of the area or any such adverse effects are clearly outweighed by social, economic and environmental benefits of national importance
<b>Scottish Biodiversity List (SBL) (2013)</b>		
SBL	SBL	Identifies habitats and species of principal importance to assist public bodies with their biodiversity duty to further the conservation of biodiversity
<b>Cairngorms Nature Action Plan (2013 – 2018)</b>		
Vision Strategy Action	Woodlands Wetlands Montane moorlands Key Species	Of primary importance to the Action Plan are woodlands, wetlands, montane moorlands (including blanket bog), and key species

## 1.7 Policy Context for Chapter 13: Landscape and Chapter 14: Visual

1.7.1 National planning policy on a variety of themes is contained in SPP. Key provisions of SPP on landscape and visual are:

- Improving the natural environment and the sustainable use and enjoyment of it
- To facilitate positive change whilst maintaining and enhancing the distinctive character of the landscape in both the countryside and urban areas
- To ensure that siting and design of development is informed by local landscape character
- To preserve ancient and semi-natural woodland as well as other native and long established woodlands with high nature conservation value

1.7.2 **Table 6** below provides a summary of the key policies that are of relevance to landscape and visual. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19. 1**, and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 6: *Planning Policy Framework for Landscape and Visual*

Policy Ref	Title	Summary of Policy
<b>PAN</b>		
PAN 60	Planning for Natural Heritage (2000)	Seeks a positive and creative approach in addressing natural heritage issues and maintain and enhance landscape character
PAN 65	Planning and Open Space (2008)	Provides advice on the protection and enhancement of existing open space and providing high quality new spaces
PAN 75	Planning for Transport (2005)	This PAN provides advice for local planning authorities and developers on their policy development, proposal assessment and project delivery in relation to transport.
<b>Scottish Forestry Strategy (2006)</b>		
Our vision for Scottish Forestry	Our vision for Scottish Forestry	Outlines strategic priorities for forestry including management, planting and environmental stewardship
<b>Forest and Woodland Framework (2008)</b>		
Forests of the Cairngorms	Forests of the Cairngorms	This Framework provides policy basis for the management of forests and woodland in the Cairngorms National Park. It identifies seven strategic objectives and local priorities to mitigate against numerous potential impacts

Policy Ref	Title	Summary of Policy
<b>Scottish Natural Heritage (SNH) Commissioned Report 293 (2005)</b>		
The View from the Road	The View from the Road	This report looks at the many benefits of view protection and improvement detailing how the landscape of Scotland is one of its greatest and most bankable assets. This report recommends that 'View Corridor Management Plans' (VCMPs) are produced as a practical aid to consultation, prioritisation and implementation of the objectives of VCMPs
<b>SNH Landscape Policy Framework (2005)</b>		
Paragraph 9	SNH's Aim for Scotland's Landscape	Aims to safeguard against the distinct identity, the diverse character and the special qualities of Scotland's landscapes as a whole to ensure landscape contributes positively to people's environment and are attractive and valued
<b>Fitting Landscape Transport Scotland (2014)</b>		
Aims 1 - 4	Fitting Landscape Transport Scotland	Aims 1-4 seeks to promote design quality and sustainable transport. Policy recognises that Transport Landscape is integral to the character of Scotland; incorporating landscape can enhance the experience of travellers. Include effective mitigation of adverse impacts on species and ecosystems is a primary consideration, coupled with enhancement of biodiversity. Aims to deliver a range of benefits including reducing consumption of materials and energy. All development needs to take into account future implications of climate change
<b>Historic Environment Scotland Policy Statement (2016)</b>		
Historic Environment Scotland Policy Statement	Historic Environment Scotland Policy Statement	This policy statement sets out the principles under which Historic Environment Scotland (HES) operates and provides framework that informs that day-to-day work of a range of organisations that have a role and interest in managing the historic environment
<b>CNPLDP (2015)</b>		
Policy 3	Sustainable Design	Policy 3 states that landscaping should be used within the design proposals which complement the setting of the local area
Policy 4	Natural Heritage	Development that would adversely affect the Cairngorms National Park, a Site of Special Scientific Interest, National Nature Reserve or National Scenic Area will only be permitted where it will not adversely affect the integrity of the area or any such adverse effects are clearly outweighed by social, economic and environmental benefits of national importance
Policy 5	Landscape	Policy 5 sets a presumption against any development that does not conserve and enhance the landscape character and special qualities of the Cairngorms National Park. Development which does not enhance the landscape character of the Park will only be permitted if the benefits outweigh the harm or the impacts can be mitigated against
Policy 9	Cultural Heritage	Policy 9 aims to protect all Scheduled Ancient Monuments, listed buildings, inventory gardens, landscapes and battlefields and states where development would result in an adverse impact, the proposal must minimise and mitigate against any adverse effect on the asset or its setting through appropriate siting, layout, design and scale
<b>Cairngorms Nature Action Plan (2013 – 2018)</b>		
Vision Strategy Action	Woodlands Wetlands Montane moorlands Key Species	Of primary importance to the Action Plan are woodlands, wetlands, montane moorlands (including blanket bog), and key species

## 1.8 Policy Context for Chapter 15: Cultural Heritage

1.8.1 National planning policy on a variety of themes is contained in SPP. Key provisions of SPP on cultural heritage are:

- To safeguard historic assets through development plans and development management decisions

- To promote decision-making based on a clear understanding of the importance of heritage assets

1.8.2

**Table 7** below provides a summary of the key policies that are of relevance to cultural heritage. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19.1 (Volume 2)**, and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 7: *Planning Policy Framework for Cultural Heritage*

Policy Ref	Title	Summary of Policy
<b>NPF3 (2014)</b>		
Paragraph 4.6	A Natural, Resilient Place	The historic environment is an integral part of our well-being and cultural identity. Scotland currently has five World Heritage Sites, and many historic cities, towns and villages with a rich variety of buildings and townscapes
<b>PANs</b>		
PAN 2/2011	Planning and Archaeology	Outlines the requirement to protect archaeological remains and their setting during the planning process and states that the protection should be proportionate to the value of the archaeological remains and the development
<b>CNPLDP (2015)</b>		
Policy 3	Sustainable Design	Policy 3 aims to ensure that all development delivers a high standard of design and contributes to the sense of place. In terms of cultural heritage, this policy states that materials should be used that will complement the setting of the development
Policy 9	Cultural Heritage	The aim of this policy is to conserve and enhance the cultural heritage of the National Park. Policy 9 states that where development would result in a significant adverse impact on a Scheduled Monument Listed Building or Inventory Gardens, Landscapes and battlefields, the proposal must demonstrate that the effect is outweighed by the benefit or it is possible to mitigate any adverse effects on the asset or setting
<b>Historic Environment Scotland Policy Statement (2016)</b>		
Policy Statement	Scotland's Historic Environment	This policy statement sets out that the sustainable management of the historic environment is an integral part of the wider management of resources. Policy states there should be a presumption in favour of preservation of historical assets and no historic asset should be lost or radically changed without adequate consideration of its significance

## 1.9 Policy Context for Chapter 16: Air Quality

1.9.1

National planning policy on a variety of themes is contained in SPP. Key provisions of SPP on air quality are:

- Promoting sustainable development
- Tackling congestion to support sustainable economic growth and reduce emissions
- To encourage decision making to take into account the implications of development for water, air and soil quality
- To support healthier living by improving the quality of the built environment and by addressing environmental problems affecting communities
- To tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it

1.9.2 SPP states that the relationship between transport and land use has a strong influence on sustainable economic growth, and this should be taken into account when preparing development plans and in development management decisions. SPP indicates that a reduction in emissions from transport sources requires more sustainable modes of transport. SPP suggests that the planning system should support a pattern of development which reduces the need to travel, encourages active travel and facilities movement by public transport.

1.9.3 **Table 8** below provides a summary of the key policies that are of relevance to air quality. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19.1 (Volume 2)**, and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 8: *Planning Policy Framework for Air Quality*

Policy Ref	Title	Summary of Policy
<b>National Planning Framework 3 (NPF3) (2014)</b>		
Paragraph 2.7	Scotland Tomorrow	Aims to ensure development facilitates adaptation to climate change, reduces resource consumption and lowers greenhouse gas emissions.

## 1.10 Policy Context for Chapter 17: Noise and Vibration

1.10.1 National planning policy on a variety of themes is contained in SPP. As outlined, the key provisions of SPP on noise are:

- To support development that will contribute to sustainable economic growth and to high quality sustainable places
- To support healthier living by improving the quality of the built environment and by addressing environmental problems affecting communities

1.10.2 **Table 9** below provides a summary of the key policies that are of relevance to noise and vibration. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19.1 (Volume 2)**, and is summarised in **Chapter 19**, with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 9: *Planning Policy Framework for Noise and Vibration*

Policy Ref	Title	Summary of Policy
<b>NPF3 (2014)</b>		
Point 6.8	National developments	All developments will require the appropriate level of environmental assessment and public consultation, and will need to demonstrate that environmental impacts can be avoided, or mitigated to an acceptable level at the consenting stage
<b>PANs</b>		
PAN 1/2011	Planning and Noise	Provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise
<b>Technical Advice Note (TAN): Assessment of Noise (2011)</b>		
TAN	Assessment of Noise	Provides technical guidance which may assist in the technical evaluation of noise assessments

## 1.11 Policy Context for Chapter 18: Materials

1.11.1 National planning policy on a variety of themes is contained in SPP. The key provisions as set out in SPP on design and materials are:

- To support sustainable development
- To encourage the use of sustainable and recycled materials in construction
- Promote development design that would contribute positively to the built and natural environment

1.11.2 **Table 10** below provides a summary of the key policies that are of relevance to materials. An assessment of compliance of the Proposed Scheme in relation to these policies is provided in **Appendix 19. 1**, and is summarised in **Chapter 19** with regard to the overall compliance of the Proposed Scheme in relation to national, regional and local policy.

Table 10: *Planning Policy Framework for Materials*

Policy Ref	Title	Summary of Policy
<b>NPF3 (2014)</b>		
Paragraph 2.7	Scotland Tomorrow	Guidance states that new developments should facilitate reduced resource consumption and lowering of greenhouse gas emissions
<b>CNPLDP (2015)</b>		
Policy 10	Resources	Policy 10 seeks to avoid unacceptable detrimental impacts on the water environment and development should be free from significant risk of flooding. Policy seeks to safeguard existing strategic waste management facilities and ensure minimisation of waste from the construction of the development and throughout the life of the development. Any development affecting mineral reserves should protect future viable extraction of a workable mineral reserve. Policy 10 protects soil and peat from commercial extraction and minimise disturbance to soils and peat. With regard to contaminated land, Policy 10 seeks to ensure assessments are undertaken to identify potential impacts on such resources in order to include mitigation