

## 18 Policies and Plans

The assessment considers compliance of the proposed scheme with national, regional and local planning policy.

The principle of development of the proposed scheme is established and generally supported in national, regional and local planning policy. The Government's commitment to the proposed scheme and wider improvements to the A9 is outlined in the National Planning Framework 2.

The proposed scheme also supports regional transport policy objectives as part of a wider strategy to assist in providing enhanced connectivity to deliver prosperity and connect communities across the region.

The assessment has identified where potential impacts associated with the proposed scheme could result in non-compliance with aspects of policy. The mitigation measures proposed to address these potential impacts have been identified in the specialist assessment chapters of this ES (i.e. Chapters 7-17).

### 18.1 Introduction

18.1.1 This chapter provides an overview of the relevant national, regional and local policy documents, and a summary of policies and objectives relevant to the proposed scheme as a whole. It presents the assessment of the proposed scheme in terms of compliance with plans and policies. The chapter is supported by the following appendices, which are cross-referenced in the text where relevant:

- Appendix A18.1 (Assessment of Development Plan Policy Compliance); and
- Appendix A18.2 (Policy Context for Environmental Assessment).

18.1.2 The 'Town and Country Planning (Scotland) Act 1997' ('the 1997 Act') (as amended by the Planning etc. (Scotland) Act 2006) ["the 2006 Act"] provides the framework for land use planning and the development of planning policy in Scotland. The 'Planning etc. (Scotland) Act 2006' is an enabling Act. Its purpose is to amend existing planning legislation and provide a mechanism for the delivery of a modernised planning system.

18.1.3 A key feature of the 2006 Act is the statutory role and application of the National Planning Framework. The National Planning Framework 2 (NPF2) contains a statement of priorities and a strategy for the long term spatial development of Scotland. The approved NPF2 was published by the Scottish Government in June 2009 and identifies national developments including major strategic transport proposals. It also requires Scottish Ministers to include a statement of their reasons for considering a need for such developments. Preparation of the next version of the NPF, (NPF3) is currently being undertaken by the Scottish Government.

18.1.4 The Scottish Government influence on the planning system also extends to the production of Scottish Planning Policy (SPP), Circulars, Planning Advice Notes (PANs), and approval of strategic planning documents. Each of these policy documents is material to the development of local and regional policy and provides thematic guidance on planning for a broad range of land uses and developments.

18.1.5 Under the 1997 Act, each planning authority in Scotland has a responsibility to publish a Development Plan, the content of which is informed by national policy. The Development Plan for an area comprises a Structure Plan and a Local Plan. The Structure Plan sets out strategic policy requirements and broad spatial guidance which inform the detailed policies and proposals of the Local Plan.

18.1.6 Under the 2006 Act, the Development Plan system has changed. Four City Regions have been established, with each preparing a Strategic Development Plan. Local Planning Authorities will prepare a Local Development Plan. For those authorities outside the City Regions, the Local Development Plan will set the strategic priorities for its area. Some authorities have commenced preparation of plans under this new system but until these are published and adopted, the existing Development Plans remain in force.

## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

---

18.1.7 The Development Plans and their emerging replacements are material to decisions about development and future land uses, including major infrastructure works such as the proposed scheme.

18.1.8 The route of the proposed scheme lies within the boundaries of Perth & Kinross Council. The relevant Development Plan documents are listed in Table 18.1 below.

**Table 18.1: Development Plan Documents**

Document	Title	Status
Strategic Development Plan	TAYPlan Scotland's SusTAYnable Region Strategic Development Plan 2012 – 2032	Approved (2012)
Local Plan	Perth and Kinross Highland Area Local Plan	Adopted (2000)
Local Plan	Perth and Kinross Perth Area Local Plan	Adopted (1996)
Local Development Plan	Perth and Kinross Local Development Plan	Examination stage

## 18.2 Approach and Methods

18.2.1 The desktop assessment was undertaken in accordance with DMRB (Volume 11, Section 3, Part 12: Impact of Road Schemes on Policies and Plans). It consists of three elements which:

- describe the existing and, where appropriate, emerging national planning policy guidance framework as applicable to the proposed scheme;
- describe the existing, and where appropriate, emerging Development Plan framework and any other relevant non-statutory regional or local policy documents as applicable to the proposed scheme; and
- consider the likely conflicts or compliance of the proposed scheme with key strategic and local planning policy objectives.

18.2.2 Interim Advice Note (IAN) 125/09 "Supplementary Guidance for Users of DMRB Volume 11 'Environmental Assessment'" (Highways Agency et al, 2009) provides supplementary advice on carrying out environmental assessment of projects, until such time as all topic chapters in DMRB (Volume 11, Section 3) have been updated and published in accordance with the guidance in DMRB (Volume 11, Sections 1 and 2), which was republished in August 2008. It sets out a revised structure for DMRB (Volume 11, Section 3, Parts 1-12), and advises that the reporting of the impact of road schemes on policies and plans is absorbed into each of the new topic chapters.

18.2.3 As stated previously, this chapter provides an overview of the relevant policy frameworks, summarising the policies and objectives applicable to the proposed scheme. Given that many of the policies are relevant to more than one topic chapter, it is considered appropriate that the assessment of compliance against each policy is provided together in Appendix A18.1 and summarised in this chapter. In accordance with DMRB IAN 125/09, plans and policies were also reviewed in the context of each of the topic chapters of the EIA (Chapters 7-17), and the results of this are presented in Appendix A18.2 (Planning Policy Context for Environmental Assessment).

18.2.4 A full assessment of potential impacts on identified development land (based on Development Plan allocations, proposals and current planning consents) is provided in Chapter 7 (Community and Private Assets).

### Limitations to Assessment

18.2.5 Section 3, Part 12 of the DMRB which relates to the assessment of Policies and Plans has not been updated since 1994. Since then, major changes have occurred to the Scottish planning system particularly since the 2006 Act was enforced, including the introduction of the NPF (currently NPF2) and the replacement of Structure and Local Plans with Strategic and Local Development Plans. Therefore references to certain documents and/or organisations in the DMRB are no longer applicable.

### 18.3 Summary of Plans and Policies

- 18.3.1 An assessment was undertaken of policies and plans at national, regional and local level, and a summary of the theme and objectives of each relevant policy is presented in Appendix A18.1 (Assessment of Development Plan Policy Compliance). Details of the topic specific national and development plan policies in regard to each of the topic chapters of the EIA (Chapters 7-17) are provided in Appendix A18.2 (Planning Policy Context for Environmental Assessment).
- 18.3.2 In addition, an analysis of relevant land use allocations and the precise locations of planned developments adjacent to or within the vicinity of the proposed scheme was also completed. Figure 7.4 which accompanies Chapter 7 (Community and Private Assets) shows relevant land use allocations and planned developments.

#### National Strategies

##### National Planning Framework 2 (NPF2)

- 18.3.3 The Scottish Government published the second National Planning Framework (NPF2) in June 2009. The NPF2 is a statutory document and a material consideration in planning decisions.
- 18.3.4 The framework guides Scotland's spatial development to 2030, setting out strategic development priorities to support the Scottish Government's central purpose which is to promote sustainable economic growth. The main elements of the spatial strategy to 2030 are to:
- support strong, sustainable growth for the benefit of all parts of Scotland;
  - promote development which helps to reduce Scotland's carbon footprint and facilitates adaptation to climate change;
  - promote development which helps to improve health, regenerate communities and enable disadvantaged communities to access opportunities;
  - promote more sustainable patterns of transport and land use; and
  - deliver strategic improvements in internal connectivity.
- 18.3.5 NPF2 highlights that the competitiveness of places depends on adequate investment in infrastructure. Improvements in transport infrastructure are therefore encouraged to:
- '...strengthen international links, tackle congestion, reduce journey times between our cities and support our rural communities'* (paragraph 103).
- 18.3.6 The Government's commitment to further improvements to the A9 is detailed in the NPF2 (paragraph 133). These improvements are focused on targeted enhancement of capacity, tackling congestion where it affects journey time reliability, managing demand on the network and addressing the accessibility needs of rural areas.

##### National Planning Framework 3 (NPF3)

- 18.3.7 The third National Planning Framework (NPF3) was submitted to the Scottish Parliament on 14 January 2014. This document will replace NPF2 and set out the Government's development priorities over the next 20-30 years. NPF3 was submitted to Scottish Parliament on 14 January 2014 and is currently subject to a 60 day parliamentary scrutiny period until 24 March 2014. The final document is expected to be adopted in the summer of 2014.

##### The Government Economic Strategy

- 18.3.8 The Scottish Government published the current Government Economic Strategy in November 2011 with the purpose of creating a more successful country, through increasing sustainable economic

## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

---

growth (Scottish Government, 2011). The strategy identifies six Strategic Priorities that are most critical to economic growth:

- Supportive Business Environment;
- Transition to a Low Carbon Economy;
- Learning, Skills and Well-being;
- Infrastructure Development and Place;
- Effective Government; and
- Equity.

18.3.9 The key strategic approaches that will be pursued in relation to the Infrastructure Development and Place strategic priority include:

- focusing investment on making connections across, within and to/from Scotland better, improving reliability and journey times, seeking to maximise the opportunities for employment, business, leisure and tourism;
- investing in maintaining existing transport infrastructure to ensure it remains safe and reliable, so safeguarding current connectivity; and
- facilitating the transition to a low carbon economy by providing integrated and cost-effective public transport and better connecting people, places and work.

18.3.10 The strategy is based on the principle that an efficient transport system is one of the key enablers for enhancing productivity and delivering faster, more sustainable growth. Enhancing transport infrastructure and services can open up new markets, increase access to employment and help to build a critical mass of businesses that drive up competitiveness and deliver growth.

18.3.11 The strategy also acknowledges the importance of Scotland's cities as centres of growth and prosperity. It states that the strategy:

*'...looks to harness the strength and quality of our cities, towns and rural areas, including coastal communities, and to ensure that Scotland is positioned to take full advantage of the opportunities offered by the digital age and the transition to a low carbon economy'.*

18.3.12 To support this aspiration, the strategy seeks to enhance connections between Scotland's cities.

18.3.13 The implementation of the strategy will be driven across the public sector and supported by the new arrangements within the Scottish Government to provide a clear focus on delivery.

18.3.14 Financial and other resources will be aligned to ensure that policy development and spending programmes are sharply focused on the delivery of the strategy's purpose which is centred upon:

*'...growing the economy and creating opportunities for all to flourish'.*

#### Infrastructure Investment Plan (IIP)

18.3.15 The current IIP was published in 2011. This document provides an overview of the Scottish Government's plans for infrastructure investment. The vision for the IIP is to create a:

*'...secure, prosperous, confident, healthy, fair, well-connected, low carbon Scotland'.*

18.3.16 The investment decisions outlined in the plan are focused on supporting the delivery of the Government Economic Strategy. The IIP recognises that an efficient transport system is:

*'...a key enabler for enhancing productivity and hence expanding the economic potential of the country.'*

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

- 18.3.17 It is therefore focussed on improving connections across, within and to /from Scotland. The dualling of the A9 between Perth and Inverness is identified as a long term commitment in the plan.

#### Scotland's Transport Future

- 18.3.18 The White Paper, 'Scotland's Transport Future' (Scottish Executive, 2004) outlines the policy framework for transport in Scotland with an overall aim to:

*'...promote economic growth, social inclusion, health and protection of our environment through a safe, integrated, effective and efficient transport system'.*

- 18.3.19 Paragraph 71 of the White Paper states that:

*'...in order to enhance Scotland's global competitiveness and to enable Scotland's economy to maximise its productivity, Scotland needs to ensure that it has a well-connected, sustainable transport network. Transport needs to support major Scottish industries. Transport can help unlock the economic and regeneration potential of particular places. It can also ensure connections for people who live and work in more remote and rural areas'.*

#### National Transport Strategy (NTS)

- 18.3.20 The National Transport Strategy (NTS) (Scottish Executive, December 2006) considers Scotland's transport needs over the medium to long-term and sets the framework for the Strategic Transport Project Review (STPR). Three key strategic objectives identified within the NTS are:

- improve journey times and connections, to tackle congestion and the lack of integration and connections in transport which impact on high level objectives for economic growth, social inclusion, integration and safety;
- reduce emissions, to tackle the issues of climate change, air quality and health improvement which impact on high-level objectives for protecting the environment and improving health; and
- improve quality, accessibility, and affordability, giving people a choice of public transport where availability means better quality services and value for money, providing an alternative to the car.

#### Strategic Transport Project Review (STPR)

- 18.3.21 The Scottish Government's Strategic Transport Projects Review (STPR) was published in 2009 and sets out the future investment programme for transport in Scotland over the next 20 years. This includes the upgrade of the A9 to dual carriageway between Perth and Inverness.

- 18.3.22 The project supports the national objectives to promote reduced journey times between Inverness and the Central Belt, improving the operational effectiveness of the A9, reducing the severity of accidents and addressing driver frustration.

### **National Planning Policy**

#### Scottish Planning Policy (SPP) (February 2010)

- 18.3.23 Along with the NPF2, national land use planning guidance in Scotland is provided through Scottish Planning Policy (SPP). The consolidated SPP containing all aspects of policy was published in February 2010. It is a material consideration in the assessment of planning applications and also directs the form and content of development plans.

- 18.3.24 The consolidated SPP supersedes the series of Scottish Planning Policies (SPPs) and (National Planning Policy Guidance (NPPGs) which are now revoked. The SPP contains:

- an overview of the key components and overall aims and principles of the planning system;

## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

- cross-cutting policies on sustainable economic growth, community engagement and sustainable development;
- subject specific policies; and
- sets out the desired outcomes from the planning system, including the creation of high quality sustainable places, and increased sustainable economic growth.

18.3.25 The relevant subject policies contained in the consolidated SPP are listed in Table 18.2.

**Table 18.2: Scottish Planning Policy**

Subject	SPP Paragraph	Summary
Introductory Sections	1 - 44	<p>The introductory sections of the SPP set out a brief statement on the purpose of planning and detail the core principles that should underpin the modernised planning system. SPP states that successful operation of the planning system will only be achieved if all those involved commit themselves to engaging as constructively as possible in development planning and development management, so that the planning system contributes effectively to increasing sustainable economic growth.</p> <p>It also highlights that the planning system has an important role in supporting the achievement of sustainable development. Paragraphs 34-40 provide guidance on how the planning system can achieve sustainable development through its influence on location, layout and design.</p> <p>Paragraphs 41-44 reinforce the need to tackle climate change, and in particular reduce emissions of the greenhouse gases that contribute to it. Climate change is identified as a principal challenge of sustainable economic growth.</p>
Economic Development	45 -51	Supports economic development through, amongst others, promoting sustainable locations, promoting regeneration, promoting full and appropriate use of land, buildings and infrastructure, and supporting development which will provide new employment opportunities.
Rural Development	92 - 97	Aims to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. Recognises the scarcity of prime quality agricultural land and presumes against development on such land unless it is necessary to meet an established need, e.g. major infrastructure development.
Historic Environment	110 - 124	States that planning authorities should safeguard historic assets through development plans and development management decisions. The Government's Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment guidance note series, both published by Historic Scotland, should be taken into account for development which may affect the historic environment alongside this SPP section .
Landscape and Natural Heritage	125 - 148	Indicates that planning authorities should take a broad approach to landscape and natural heritage other than just conserving designated or protected sites and species through taking into account ecosystems and natural processes in their area. Planning authorities should support opportunities for enjoyment and understanding of natural heritage.
Open Space and Physical Activity	149-158	States that access to good quality open spaces and opportunities for sport and recreation make important contributions to a healthier Scotland. The planning system has a role in helping to create an environment where physical wellbeing is improved and activity made easier.
Green Belts	159-164	Outlines the purpose and value of the green belt designation and details where certain types and scales of development may be appropriate within a green belt. Section states that in addition to supporting the management of the long term growth of a settlement, an effectively managed green belt can be an important resource for access to the countryside, providing a range of opportunities for outdoor recreation, education and tourism, and for protecting and enhancing biodiversity, the landscape and the historic environment.
Transport	165 - 181	<p>Sets out the planning policy on transport. The policy encourages a shift towards more sustainable modes of transport and supports a pattern of development that reduces the need to travel.</p> <p>Section states that the strategic transport network, (which includes the A9), is critical in supporting a level of national connectivity that facilitates sustainable economic growth.</p>
Flooding and Drainage	196 - 211	Sets out national planning policy on flooding and drainage and aims to manage flooding to reduce its economic and social consequences and safeguard services and infrastructure. Planning authorities are required to take into account the probability of flooding and associated risks when determining planning applications and preparing development plans, and developers should take flood risk into account prior to committing to development.

## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

#### Review of SPP

- 18.3.26 A review of SPP was announced in the Scottish Parliament on the 18 September 2012. The review seeks to update the current policy framework, focusing on promoting sustainable economic growth and emphasising placemaking. SPP is being reviewed at the same time as the National Planning Framework. The final document is expected to be published in June 2014.
- 18.3.27 An overview of other national planning policy and guidance is provided in Table 18.3.

**Table 18.3: Other Relevant National Policy Guidance**

Policy	Title	Description
SHEP	Scotland's Historic Environment Policy - (December 2011)	This document has consolidated the previous SHEP series into one policy document. The SHEP sets out Scottish Ministers' policies for the historic environment, provides greater policy direction for Historic Scotland and provides a framework that informs the day-to-day work of a range of organisations that have a role and interest in managing the historic environment. The SHEP complements and has the same authority as the Scottish Planning Policy series and other relevant Ministerial policy documents, and is a material document in the statutory planning, EIA and Strategic Environmental Assessment (SEA) processes. It has been prepared and is published in parallel with SPP23 on the Historic Environment.
Guidance Note Series	Managing Change in the Historic Environment	The series explains how to apply the policies contained in the Scottish Historic Environment Policy (2011) and the Scottish Planning Policy (2010).

- 18.3.28 In addition, PANs support SPP and provide advice on good practice and other relevant information to planning authorities. A summary of PANs of relevance to the proposed scheme is shown in Table 18.4. Table 18.5 contains relevant Planning Circulars which provide statements of Scottish Government policy and guidance on implementation and/or procedural change.

**Table 18.4: Relevant Planning Advice Notes (PANs)**

PAN	Title	Description
PAN 33	Development of Contaminated Land (2000)	Provides advice on the implications of the contaminated land regime for the planning system; and the development of, and approach to, contaminated land in development plans. It also contains guidance on the determination of planning applications when the site is, or may be, contaminated.
PAN 51	Planning, Environmental Protection and Regulation (Revised 2006)	Supports the existing policy on the role of the planning system in relation to the environmental protection regimes. This PAN also summarises the statutory responsibilities of the environmental protection bodies, as well as informing these bodies about the planning system.
PAN 1/2013	Environmental Impact Assessment (2013)	Provides information and advice on the legislative background to EIA, EIAs in Scotland and the process of environmental impact assessment. It also provides best practice advice on environmental studies and statements, the evaluation of environmental information by the planning authority and its implementation through the planning decision.
PAN 60	Planning for Natural Heritage (2000)	Provides advice on how development and the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland's natural environment and encourages developers and planning authorities to be positive and creative in addressing natural heritage issues. It complements the SPP, with examples of good planning practice in relation to natural heritage drawn from across Scotland highlighted in a number of case studies.
PAN 61	Planning and Sustainable Urban Drainage Systems (2001)	Provides good practice advice for planners and the development industry on the implementation of Sustainable Urban Drainage Systems (SUDS) (now referred to as Sustainable Drainage Systems in latest guidance) to aid the introduction of more sustainable developments.
PAN 65	Planning and Open Space (2008)	Provides advice on the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces. The advice relates to open space in settlements: villages, towns and major urban areas.
PAN 68	Design Statements (2003)	Explains what design statements are, when they are required and how they should be prepared and presented. It also seeks to ensure that local authorities and applicants are clear about the role and usefulness of design statements within the application process.

## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

PAN	Title	Description
PAN 69	Planning and Building Standards Advice on Flooding (2004)	Provides background information and best practice advice in support of SPP7 (Planning and Flooding), and the Technical Handbooks published by the Scottish Building Standards Agency that provide guidance for the Building (Scotland) Regulations 2004. This Advice Note focuses on the responsibilities of local authorities and developers in ensuring that future built development is not located in areas with a significant risk of flooding, including functional flood plains.
PAN 75	Planning for Transport (2005)	Aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other information sources on the overlap of the two sectors.
PAN 78	Inclusive Design (2006)	Supports the government's aim of promoting more equality in the areas where we live and work. The PAN aims to explain the importance of inclusive design, identify the nature of the problems experienced in designing inclusive environments and describe the legislative context. It also outlines the roles of the different stakeholders in delivering inclusive design and identifies the particular challenges of applying inclusive design to the historic environment.
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. It explains the roles of Scottish Water and 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.
PAN 3/2010	Community Engagement	The PAN provides advice to communities on how they can get involved and advice to planning authorities and developers on ways of effectively engaging with communities on planning matters. It advocates the use of 10 National Standards and provides detailed advice on each standard as follows: Involvement; Support; Planning; Methods; Working Together; Sharing Information; Working with Others; Improvement; Feedback; and Monitoring and Evaluation.
PAN 1/2011	Planning and Noise	The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. It promotes the appropriate location of new potentially noisy development, and a pragmatic approach to the location of new development within the vicinity of existing noise generating uses, to ensure that quality of life is not unreasonably affected and that new development continues to support sustainable economic growth.
PAN 2/2011	Planning and Archaeology	This Planning Advice Note sits alongside Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment Guidance Notes, which together set out the Scottish Ministers' policies for planning and the historic environment.  This PAN is intended to inform the day-to-day work of a range of local authority advisory services and other organisations that have a role in the handling of archaeological matters within the planning process.

**Table 18.5: Relevant Planning Circulars**

Circular	Title	Description
17/1997	Environmentally Sensitive Areas	The purpose of this Circular is to clarify the status of Environmentally Sensitive Areas in planning policy and, specifically, to differentiate them from statutory national and international heritage designations such as National Scenic Areas, and Sites of Special Scientific Interest and related international designations.
3/2011	The Town and Country Planning (EIA) (Scotland) Regulations 2011	This Circular provides guidance on the Environmental Impact Assessment (Scotland) Regulations 2011 which update the 1999 Regulations.
1/2013	Strategic Development Plan Areas	Scottish Ministers had previously asked Scottish Natural Heritage to report on the proposal to extend the Cairngorms National Park into parts of eastern and highland areas of Perth & Kinross Council. This proposal has now been implemented, and TAYPlan submitted a proposed boundary change for the Dundee, Perth, Angus and North Fife SDP area to Scottish Ministers in December 2012 seeking to exclude part of highland Perthshire, which will now be covered by the Cairngorms National Park Local Development Plan.  Scottish Ministers are satisfied that this proposed boundary change is appropriate and reflects their earlier guidance in Circular 2/2008. This determination therefore continues the boundaries for the Glasgow and the Clyde Valley, Aberdeen City and Shire and Edinburgh and South East Scotland SDP areas and provides a revised determination for the TAYplan area. The four SDP areas therefore continue to match the boundaries proposed by the SDPAs themselves.



## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

---

#### The Development Plan

- 18.3.29 As stated in paragraph 18.1.5, the development plan, as required under the 1997 Act, comprises Structure and Local Plans issued by each planning authority.
- 18.3.30 In April 2009, the revisions to Development Planning Regulations that followed from the provisions of the 2006 Act have resulted in changes to the development plan system, which include the creation of four City Regions in Scotland comprising Glasgow, Edinburgh, Dundee and Aberdeen. The City Regions encompass a number of local authority areas surrounding the main cities. The proposed scheme lies within Perth and Kinross Local Authority area which is part of the area covered by the Strategic Development Plan Authority for Dundee, Perth, Angus and North Fife (known as TAYplan).
- 18.3.31 As stated in paragraph 18.1.6, planning authorities are in the process of preparing the new style development plans required under the 2006 Act. The currently approved local plans will remain the basis for planning decisions until the new development plans have been formally adopted. A brief overview of the relevant regional and local planning policy for the proposed scheme is described in the sections below.

#### Regional and Local Planning Policy

- 18.3.32 There is an approved Strategic Development Plan (SDP) prepared under the provisions of the 2006 Act relevant to the study area (TAYplan: Scotland's SusTAYnable Region Strategic Development Plan 2012 – 2032). No Local Development Plans (LDP) relevant to the study area prepared under the 2006 Act have yet been adopted, and so local plans prepared under the 1997 Act remain in force at this time. These are the Highland Area Local Plan, (adopted 2000) and the Perth Area Local Plan (adopted 1996). Perth & Kinross Council has published a proposed replacement LDP; the Perth and Kinross Local Development Plan which is currently at the Examination stage. Once adopted this will supersede all local plans currently in force and as an emerging plan it is relevant to the assessment of the proposed scheme.
- 18.3.33 The paragraphs below set out a brief description of each of these plans. A summary of those policies of relevance to the proposed scheme is provided in the relevant specialist chapters (Chapter 7: Community and Private Assets to Chapter 17: Materials). A detailed assessment of compliance of the proposed scheme in relation to each policy is provided in Appendix A18.1 (Assessment of Development Plan Policy Compliance) and is summarised in Section 18.4 (Assessment of Compliance) below.

#### TAYplan: Scotland's SusTAYnable Region Strategic Development Plan 2012 – 2032

- 18.3.34 The TAYplan: Scotland's SusTAYnable Region Strategic Development Plan 2012 – 2032 ("the TAYplan SDP") was approved by Scottish Ministers in June 2012. Page 6 of the TAYplan SDP sets out its overall vision, stating that:

*'By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.'*

- 18.3.35 The vision is supported by various objectives, including:
- Promote transport linkages, infrastructure improvements and network improvements; and support the delivery of infrastructure that promotes a shift towards non-car travel and transporting freight by rail and sea.
  - Protect and enhance the quality of the TAYplan area's built and water environments, landscape, biodiversity and natural resources.
  - Support an advanced, thriving and diverse economy occupying a competitive position within European and World Markets.

## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

---

#### Highland Area Local Plan 2000

- 18.3.36 The Highland Area Local Plan was adopted in 2000 by Perth & Kinross Council and covers the northern section of the proposed scheme from the existing dual carriageway at Pass of Birnam to the south of the Murthly Castle estate at Gelly Wood. The key aims of the Local Plan are summarised as follows:
- To set the land use framework for promoting sustainable economic development.
  - To maintain and enhance the quality of the Highland Perthshire's natural heritage and built environment.
- 18.3.37 These key aims reflect the Council's aspirations to achieve sustainable development by delivering environmental, economic, and social services in a manner which can enhance the quality of life for everyone in the community while protecting the environment both now and for future generations.

#### Perth Area Local Plan 1996

- 18.3.38 The Perth Area Local Plan (PALP) was adopted by Perth & Kinross Council in 1996. This local plan covers the southern section of the proposed scheme from the south of Murthly Castle estate at Gelly Wood to the existing dual carriageway at Luncarty. The primary objectives on which the plan is based include:
- To develop Perth City and its immediate hinterland as the prime focus for economic activity within Perth and Kinross District.
  - To develop Perth City as the main centre for services to the whole District.
  - To apply principles of sustainable development and anticipate a future with increasing conservation of natural resources.
  - To protect development opportunities which may materialise or be appropriate in the longer term.
  - To provide reasonable choice of sites for residential, commercial or industrial development within identified sectors of their markets.
  - To reinforce rural and village community services by allowing for modest building development in scale with the character of established villages.
  - To facilitate social contacts within the whole area of the Plan through relating development sites to public transport.
  - To facilitate easy access for everyone between home, workplace and the full range of community services within Perth city, ideally by walking, cycling or public transport.
  - To protect historic village plans and architectural character.
  - To prepare the Plan in a form which assists monitoring, review and alterations as circumstances change.
- 18.3.39 In 2004 Perth & Kinross Council produced a Perth Area/Central Area draft Local Plan but following direction from the Scottish Government, the Council decided not to progress this plan and instead to progress with replacing all local plans with a Local Development Plan that would cover the entire Council area.

#### Perth & Kinross Local Development Plan (PKLDP) (Proposed Plan) 2012

- 18.3.40 The proposed plan was published in January 2012 and is currently the subject of an Examination in Public. Once adopted, the document will replace all extant local plans. The vision for the PKLDP is of:
- '...a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth'.*

## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

---

- 18.3.41 The core objectives of the PKLDP centre upon improving the distinctiveness of the towns, villages and neighbourhoods whilst preserving cultural and natural heritage. In terms of natural heritage, the PKLDP is particularly focused on the conservation and enhancement of habitats, green networks and protected species. Growth is therefore encouraged where it is undertaken sensitively and is in keeping with the environment whilst providing enough dynamism to keep communities viable and prosperous. Improvements to the existing transport infrastructure are also promoted by the PKLDP to support such growth.

#### Regional and Local Transportation and Other Policies

- 18.3.42 There are a number of proposals relating to transportation included in various other regional and local policies, as described in Table 18.6.

**Table 18.6: Transport Policies and Strategies**

Document	Title	Published
Regional Transport Strategies	Tayside and Central Scotland Transport Partnership (TACTRAN) Regional Transport Strategy	2008
Corporate Strategies	Perth & Kinross Council Corporate Plan 2013-2018	Draft version
	Perth and Kinross Economic Strategy 2009-2014	2009

#### Tayside and Central Scotland Transport Partnership (TACTRAN) Regional Transport Strategy

- 18.3.43 The strategy sets out the Vision and Objectives over a 10-15 year horizon for meeting the transport needs of people and businesses throughout the region. The TACTRAN Vision statement outlines the strategic direction and outcomes that the RTS is expected to achieve. The vision is to deliver:

*'...a transport system, shaped by engagement with its citizens, which helps deliver prosperity and connects communities across the region and beyond, which is socially inclusive and environmentally sustainable and which promotes the health and well-being of all.'*

- 18.3.44 The overarching objectives to achieve this vision are as follows:

- Economy: *To ensure transport helps to deliver regional prosperity.*
- Accessibility, Equity and Social Inclusion: *To improve accessibility for all, particularly for those suffering from social exclusion.*
- The Environment: *To ensure that the transport system contributes to safeguarding the environment and promotes opportunities for improvement.*
- Health and Well-Being: *To promote the health and well-being of communities.*
- Safety and Security: *To improve the real and perceived safety and security of the transport network.*
- Integration: *To improve integration, both within transport and between transport and other policy areas.*

- 18.3.45 Amongst other aims, the strategy seeks to improve the key strategic road networks; enhance public transport through partnership working; encourage a shift towards more sustainable forms of transport and improve integration within transport and between transport and other policy areas including land use and health.

#### Perth & Kinross Council Corporate Plan 2013-2018

- 18.3.46 The Corporate Plan Vision is:

*'...of a confident and ambitious Perth and Kinross, to which everyone can contribute and in which all can share.'*

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

18.3.47 The strategic objectives set out to achieve this vision include the following:

- Promoting a prosperous, inclusive and sustainable economy.
- Supporting people to lead independent, healthy and active lives.
- Creating a safe and sustainable place for future generations.

18.3.48 The plan recognises that investment in improving transport infrastructure is important to ensure Perth and Kinross remains a competitive business location.

#### Perth and Kinross Economic Strategy 2009-2014

18.3.49 This strategy provides a strategic framework and long-term vision for economic development. A key objective within the strategy is to promote improved economic infrastructure and transport links to develop the appropriate physical infrastructure that can promote economic growth and enable businesses to take full advantage of opportunities available to them.

## **18.4 Assessment of Compliance**

18.4.1 This section first establishes the principle of development and then goes on to summarise the assessment of compliance of the proposed scheme with the relevant policies, plans and strategies described in Section 18.3 (Summary of Plans and Policies) above and referred to in Chapters 7-17 inclusive. Key policies that may affect the development of the proposed scheme are detailed within Appendix A18.1. The proposed scheme is shown on Figure 1.1.

### **Principle of Development**

18.4.2 It is considered that the proposed scheme is generally supported in principle by national, regional and local policy. The aim of the proposed scheme, as part of a wider Scottish Government strategy to upgrade the A9 between Perth and Inverness to dual carriageway, is to provide and promote the following benefits and opportunities:

- 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.

18.4.3 The principle of the proposed scheme is essentially supported by national (NPF2) regional (TAYplan) and local planning policy and in the emerging local development plan (PKLDP). The PKLDP emphasises that a key constraint for the Perth Area is the capacity of the existing roads infrastructure in and around Perth. The proposed scheme will help to address this issue by improving the accessibility and efficiency of the trunk road.

18.4.4 Additionally, the proposed scheme is supported in the STPR and the TACTRAN regional transport strategy which seeks to promote economic growth by improving connections across the region and enhancing the existing operational effectiveness of the network.

18.4.5 The following sections provide a summary of the assessment of the proposal against the relevant national, regional and local policy objectives.

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

#### **National Policy Assessment**

##### Sustainability, Economic Development and Accessibility

- 18.4.6 The proposed scheme meets national sustainability requirements and policy provisions on economic development and maintaining and improving place accessibility by promoting the abovementioned benefits and opportunities in paragraph 18.4.2.
- 18.4.7 The Scottish Government's Infrastructure Investment Plan (IIP; December 2011) identifies the plans for infrastructure investment up to 2030. The upgrade to the A9 trunk road to dual carriageway between Perth and Inverness by 2025 is a key commitment in the IIP.
- 18.4.8 The A9 is a strategic route which connects the north of Scotland and the Central Belt. The upgrading of the A9 to dual carriageway would help to support sustainable economic growth by improving the operational effectiveness of the network, reducing journey times and reliability and provide safer driving conditions along the route, and potentially reducing costs for businesses and encouraging tourism in the north of Scotland.
- 18.4.9 Promoting sustainable economic development is a fundamental element of national policy. SPP states that there is a need to reduce journey times and make them more reliable; make connections which build and sustain economic growth; and improve links between cities, towns and rural communities throughout the country (Scottish Government, 2009).

##### Community Consultation

- 18.4.10 Community consultation has been a key part of the environmental assessment and scheme development process. A range of measures have been used to engage the community and have included consultation events that are outlined in Chapter 6 (Consultation and Scoping). Accordingly, the proposed scheme is considered compliant with the requirements of PAN 3/2010 Community Engagement.

##### Design

- 18.4.11 Land-based aesthetics are discussed in Chapter 11 (Landscape), 12 (Visual) and 16 (Effects on All Travellers). The design has been informed throughout the development process through internal and external workshops and it is considered that the proposed scheme is compliant with PAN 78: Inclusive Design.

##### Strategic Environmental Assessment (SEA)

- 18.4.12 As part of meeting the environmental challenges of the A9 Dualling programme, Transport Scotland has carried out a Strategic Environmental Assessment (SEA) in accordance with the requirements of the Environmental Assessment (Scotland) Act 2005. Compliance with the design principles set out in the SEA is demonstrated in Chapters 7-17.

##### Ecology and Nature Conservation

- 18.4.13 There are three designated sites within the study area: the River Tay Special Area of Conservation (SAC); Cairnleith Moss Special Scientific Interest (SSSI); and Mill Dam SSSI. The assessment of the implications for the European site, the River Tay SAC, has been reviewed separately in the Habitats Regulation Assessment for the proposed scheme. The assessment in Chapter 10 (Ecology and Nature Conservation) concluded that, after mitigation, there will be no implications on the integrity or conservation objectives for the qualifying species of the remaining designated sites.

##### Cultural Heritage

- 18.4.14 The assessment in Chapter 13 (Cultural Heritage) concluded that after mitigation the proposed scheme will not adversely impact the setting of any cultural heritage assets within the study area.

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

All potential residual impacts during operation were assessed as slight or neutral as a result of the proposed scheme. Accordingly the proposals do not conflict with national policy in this respect.

#### Contaminated Land

- 18.4.15 The assessment in Chapter 8 (Geology, Contaminated Land and Groundwater) concluded that there are several potential sources of contamination within the study area. Appropriate mitigation measures have been outlined in Chapter 8. The assessment determined that after mitigation, the residual effects on contaminated land are expected to be of Negligible significance. It is therefore considered that the proposed scheme is compliant with PAN 33: Development of Contaminated Land.

#### Water Resources and Sustainable Drainage Systems

- 18.4.16 The protection of water resources has been identified and addressed within Chapter 9 (Road Drainage and the Water Environment). The incorporation of SUDS has been an integral part of the proposed scheme's design and is considered to accord with PAN 61: Planning and Sustainable Urban Drainage Systems.

#### **Regional Policy**

- 18.4.17 This section provides a summary of the assessment of the proposal against the regional policies specific to the study area.

#### Geology, Soils and Groundwater

- 18.4.18 Policy 3 of the TAYplan seeks to safeguard geodiversity, landscapes, and allow development where it does not adversely impact upon or preferably enhances these assets. Within the study area no Regionally Important Geological Sites (RIGS) or geological SSSIs have been identified within the 500m study area defined for the proposed route. A detailed assessment has been undertaken in Chapter 8 (Geology, Contaminated Land and Groundwater) and appropriate mitigation measures established.

#### Ecology and Nature Conservation

- 18.4.19 Policies 2 and 3 within the TAYplan aim to ensure that new development and its connections understand, incorporate and enhance the area's natural assets. Policy 3 identifies the importance of understanding and respecting the regional distinctiveness of the TAYplan area through safeguarding its natural heritage.
- 18.4.20 Throughout this assessment process, consultation with SNH has been undertaken and any comments addressed. No significant issues have emerged as a result of the assessment and as such, the proposal is in compliance with TAYplan policy in this respect.

#### Cultural Heritage

- 18.4.21 TAYplan Policies 2 and 3 emphasise the importance of the conservation, enhancement and promotion of the area's built heritage. Policies 2 and 3 are focussed on preserving the regional distinctiveness of the area through safeguarding townscapes, archaeology, historic buildings and monuments which are part of the region's character and identity.
- 18.4.22 An assessment of potential impacts on designated sites is detailed within Chapter 13 (Cultural Heritage) and concludes that after mitigation, all residual impacts during operation have been assessed as slight or neutral. It is therefore considered that the proposed scheme complies with the requirements of the TAYplan.

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

#### Transport

- 18.4.23 A key objective of the TAYplan is to promote transport linkages, infrastructure improvements and network improvements. The TACTRAN Regional Transport Strategy echoes this objective, seeking to deliver an efficient transport network which helps to deliver prosperity and connects communities across the region and beyond.
- 18.4.24 The dualling of the A9 would assist in supporting these objectives by promoting the benefits and opportunities described in paragraphs 18.4.2. Accordingly, the proposed scheme complies with regional transport objectives.

#### **Local Policy**

- 18.4.25 The proposed scheme lies within areas covered by the Perth Area Local Plan (PALP) and the Highland Area Local Plan (HALP). The emerging Perth and Kinross Local Development Plan (PKLDP) which will supersede both local plans once adopted, is also a material consideration in this assessment. Policy compliance for these plans is considered below.

#### Design: Landscape and Visual Impacts

- 18.4.26 The proposed scheme design shows a generally online alignment, following the route of the existing road which will limit landscape and visual impacts on surrounding receptors. Policies 11, 16 and 17 of the PALP and Policies 3-4 and 18-19 of the HALP seek to conserve landscape features and sense of local identity, and strengthen and enhance landscape character. The PKLDP is focussed on safeguarding views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality.
- 18.4.27 The effects of the proposed scheme in terms of landscape and visual impacts have been assessed in detail and are reported in ES chapters 11 (Landscape) and 12 (Visual). 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 assessment in Chapter 11 concluded that 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. A variety of landscape and visual mitigation measures have been incorporated throughout the design of the proposed scheme in order to address any potential effects. These are explained in Chapters 11 and 12.
- 18.4.28 The proposal will result in the acquisition and demolition of one residential property, Ladner Cottage, however the assessments in Chapter 11 and 12 have concluded that this would not have a significant visual or landscape impact. A variety of mitigation measures have been incorporated through the design of the proposed scheme in order to address any potential visual effects. These are detailed in Chapters 11 and 12.

#### Green Belt

- 18.4.29 The PALP does not make reference to a Green Belt designation within the study area however it does suggest that the next regional plan should promote a Green Belt for Perth. The TAYplan does provide guidance regarding a Green Belt designation. The emerging local development plan (PKLDP) also includes a Green Belt policy (NE5) to control the spread of built development around Perth.
- 18.4.30 Policy NE5 states that 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.
- 18.4.31 The proposal will result in the loss of a small area of proposed Green Belt in the southernmost section of the proposed scheme. The impacts of this have been assessed in Chapter 7 (Community and Private Assets). The proposed improvements to the A9 have been identified as a

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

national priority and by reason of the sensitive design of the proposed scheme, the assessment concluded that the works will not have a detrimental impact on the character or integrity of the Green Belt area indicated in the TAYplan or PKLDP.

#### Ecology and Nature Conservation

- 18.4.32 Policies 1 and 19 of the PALP and Policies 1 and 13-17 of the HALP require all development proposals to consider environmental impacts and introduce adequate mitigation measures to address adverse effects. This is reiterated in PKLDP Policy NE1C which presumes against development which would adversely affect the integrity of designated sites.
- 18.4.33 The assessment detailed in Chapter 10 (Ecology and Nature Conservation) concluded that with the implementation of the proposed mitigation measures no residual impacts on ecological receptors were identified. A monitoring strategy will be developed in consultation with SNH to analyse and confirm this conclusion.
- 18.4.34 There are a number of areas of woodland identified within the vicinity of the scheme including Muir of Thorn, Gelly Wood and Five Mile Wood. Impacts on mature trees and woodlands would be mitigated by measures listed in Chapter 10 (Ecology and Nature Conservation) and 11 (Landscape). Such measures would fulfil the requirements of HALP Policy 22 and PKLDP Policy NE2 which seeks to protect trees and woodland of value. The findings of this ES therefore indicate that the proposed scheme is compliant with all local nature conservation policies.

#### Cultural Heritage

- 18.4.35 PALP Policy 17 and PKLDP HE4 seek to ensure appropriate protection of designed landscapes and gardens of high or outstanding architectural and historic interest. Overall, the proposed scheme would result in minor impacts on neighbouring designed or historic landscapes. Impacts have been reduced through the design process and through measures including minimising the additional land required for construction of the proposed scheme and the removal of woodland.
- 18.4.36 PALP Policy 25, HALP Policy 28 and PKLDP Policy HE2 seek to safeguard the physical nature and setting of listed buildings. The assessment of impacts on historic buildings and appropriate mitigation is provided in Chapter 13 (Cultural Heritage). After mitigation, a residual impact of Moderate significance has been identified on Broompark during construction of the proposed scheme. However, the residual impact on this site during operation was assessed to be of Neutral significance.
- 18.4.37 Given the temporary nature of the impacts on Broompark and the mitigation proposed to reduce or offset any effects during operation, it is considered that the proposed scheme will not compromise the provisions of Policies 25, 28 or HE2. After mitigation, residual impacts during operation on all historic buildings were identified to be of Slight or Neutral significance.
- 18.4.38 Scheduled Monuments and sites of archaeological significance are protected under PALP Policies 21-23, HALP Policies 25-27 and Policy HE1 of the PKLDP. Where sites would be directly affected by the proposed road construction through land take or visual effects, mitigation has been proposed and is outlined in Chapter 13. If unidentified remains are discovered, site investigation and excavation would be carried out if necessary, thus protecting unknown remains of importance.
- 18.4.39 The assessment in Chapter 13 concluded that after mitigation, potential impacts would be of Slight or Neutral significance for all cultural heritage sites. Accordingly, the proposed scheme would comply with the provisions of local policy in this respect.

#### Water Resources and Sustainable Drainage Systems

- 18.4.40 There are several environmentally sensitive waterbodies within the study area. The largest of these include the Shochie Burn, Ordie Burn and Garry Burn, which are tributaries of the River Tay, a designated SAC.



## A9 Dualling: Luncarty to Pass of Birnam

DMRB Stage 3 Environmental Statement

### Chapter 18: Policies and Plans

---

- 18.4.41 PALP Policy 19, HALP Policies 1 and 15 and PKLDP Policy NE1 presume against development that would result in the deterioration of designated sites. HALP Policy 1 requires that the quality of the natural environment should be maintained or improved. Policy EP3 of the PKLDP states that all new development will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.
- 18.4.42 Mitigation for the operational phase has been incorporated into the Stage 3 design, and includes SUDS features such as filter drains and attenuation ponds to manage surface water runoff and minimise pollution. With the inclusion of the proposed mitigation measures, the majority of residual impacts would be reduced to Neutral, with a small number of Slight Adverse impacts. Chapter 9 (Road Drainage and the Water Environment) lists other mitigation measures to address potential issues. Therefore the proposed scheme is considered compliant with local water protection policies.

#### Agriculture

- 18.4.43 PALP Policy 4 and HALP Policy 46 both seek to protect prime agricultural land from irreversible development. The proposed scheme would result in the loss of some land identified as 'prime quality' under the Land Capability for Agriculture (LCA) 2 classifications. Accordingly, the proposed scheme would be non-compliant with these policies. However, PKLDP Policy ER5 states that 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.
- 18.4.44 The proposed scheme which is identified as development of national priority, has sought to avoid sensitive land and buildings. Suitable mitigation measures to reduce adverse impacts have been identified including the return of land to agricultural use post-construction, where practical. There were no significant impacts identified in Chapter 7 (Community and Private Assets) and the affected farms have been assessed as viable as a result of the proposed scheme. It is considered that there are clear economic benefits of local and strategic importance which provide support for the proposed scheme when balanced against the effects on agricultural land.

#### Noise

- 18.4.45 Within the proposed PKLDP, there is a presumption against development that will generate significant amounts of noise as stated by Policy EP8.
- 18.4.46 For the assessment of construction impacts, consideration has been given to the likely worst-case phases of the works. The assessment concluded that construction of the proposed scheme is predicted to cause temporary adverse noise impacts for a number of properties. The proposed scheme would therefore fail to comply with policy EP8 in this respect, albeit noise increases due to construction would be temporary. However, the potential impacts have been subject to a detailed noise assessment as described in Chapter 15 (Noise and Vibration) and mitigation measures have been included to minimise noise impacts on the affected properties such as temporary noise screens and monitoring.
- 18.4.47 The assessment in Chapter 15 (Noise and Vibration) concluded that with the proposed scheme in place no receptors will experience perceptible noise increases during operation of the proposed scheme.

#### Materials

- 18.4.48 The assessment in Chapter 17 (Materials), concluded that the potential for impacts on material resources is considered to be of Slight significance. The assessment highlighted that the construction of the proposed scheme is expected to give rise to small-scale impacts only, however there would be a risk of a slight depletion of natural resources through the extraction of primary aggregates (sands and gravels).

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

- 18.4.49 As noted in Chapter 17 (Materials), a Site Waste Management Plan (SWMP) will be developed and regularly updated during construction of the proposed scheme. The SWMP will identify the types and likely quantities of wastes that may be generated and how these wastes will be reduced, re-used, managed and disposed of. It is considered that after mitigation, the proposed scheme would not compromise the provisions of planning policy in this respect.

#### Transport

- 18.4.50 The HALP recommends that methods of improving road safety on the A9 including the use of dual carriageway in appropriate locations are investigated. The proposed scheme as part of the wider programme of improvements to the A9 will respond to this recommendation and seek to improve road safety along the network.
- 18.4.51 PKLDP policy TA1 states that encouragement will be given to the retention and improvement of existing infrastructure provided the improvements are compatible with adjoining land uses. The objective of the proposed scheme is to improve the efficiency of the existing network and will not conflict with adjoining land uses.
- 18.4.52 Careful consideration has been given to alignment, noise mitigation, siting, and design. Equally, adequate levels of high quality screening and landscaping is also expected. Appropriate mitigation measures have been identified in this ES in Chapter 12 (Landscape) and include measures such as landscape planting and screening to reduce the level of adverse impacts related to the proposed scheme.
- 18.4.53 HALP Policy 34, PALP Policy 30, and PKLDP Policies CF2 and TA1 seek to maintain and introduce cycle and pedestrian routes and infrastructure in development proposals. The proposed scheme will ensure that existing routes will be preserved or re-routed to retain connection with the wider local and strategic network. Therefore the proposed scheme is compliant with HALP, PALP and PKLDP recreational and access policies.

#### Transport Strategies

- 18.4.54 As previously noted, the proposed scheme is identified and supported by NPF2 and the STPR. Overall, the dualling of the A9 supports the objectives of national, regional and local transport strategies in term of improving the efficiency of the network, promoting economic growth and enhancing driver safety. In conjunction with the outcomes of this ES and the measures identified to mitigate impacts, the proposed scheme is compliant with the relevant transport strategies.

#### Health and Safety Consultation Zones

- 18.4.55 The proposed scheme crosses two Pipeline Consultation Zones, as identified in the Perth Area Local Plan and proposed PKLDP. Policy 4 of the local plan and EP4 of the PKLDP note 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.

## **18.5 Summary of Policy Assessment**

- 18.5.1 The proposed scheme has been assessed against national, strategic and local planning policy and strategy documents considered material to the proposed scheme. Mitigation measures for issues of potential non-compliance have been identified to reduce adverse effects of the proposed scheme.
- 18.5.2 Whilst there are predicted temporary adverse noise impacts and loss of prime agricultural land, these impacts should be considered within the context of the mitigation measures designed to address them and the importance of the proposed scheme and wider A9 dualling programme, recognised at a national level and identified within in NPF2 as a key economic driver.

## **A9 Dualling: Luncarty to Pass of Birnam**

DMRB Stage 3 Environmental Statement

### **Chapter 18: Policies and Plans**

---

- 18.5.3 Overall, the proposed scheme is considered compliant with the provisions of national, regional and local planning policies.

## **18.6 References**

Angus Council, Dundee City Council, Fife Council and Perth & Kinross Council (2012). Approved TAYplan Strategic Development Plan.

Highways Agency et al. (1994). DMRB Volume 11 Impact of Road Schemes on Policies and Plans, Section 3, Part 12, August 1994. Highways Agency, Scottish Executive Development Department, The National Assembly for Wales and The Department of Regional Development Northern Ireland.

Historic Scotland (2011). Scotland's Historic Environment Policy (SHEP) December 2011.

Historic Scotland (2010). Managing Change in the Historic Environment Guidance Notes.

Perth & Kinross Council (2000). Adopted Highland Area Local Plan.

Perth & Kinross Council (1996). Adopted Perth Area Local Plan.

Perth & Kinross Council. Draft Perth & Kinross Council Corporate Plan 2013-2018.

Perth & Kinross Council (2009). Perth and Kinross Economic Strategy 2009-2014.

Perth & Kinross Council (2012). Proposed Perth and Kinross Local Development Plan.

Scottish Government (2009). National Planning Framework 2.

Scottish Executive (2006). National Transport Strategy (NTS), December 2006.

Scottish Executive (2004). Scotland's Transport Future.

Scottish Government (2010). Scottish Planning Policy (SPP).

Scottish Government (2011). The Government Economic Strategy, November 2011.

Scottish Government (2011). Infrastructure and Investment Plan (IIP), December 2011.

Scottish Government (2009). Strategic Transport Project Review (STPR), December 2009.

Tayside and Central Scotland Transport Partnership (TACTRAN) (2008). Regional Transport Strategy.