

AGENDA ITEM 9

APPENDIX I

COPY OF OBJECTION

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Dear Mr Sanders

The A9 Trunk Road (Killiecrankie to Glen Garry) (Trunking) Order 201 []
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A9 Dualling Programme: Killiecrankie to Glen Garry DMRB Stage 3 Environmental Statement

Thank you for consulting the Cairngorms National Park Authority on the draft road orders and environmental statement listed above.

The Cairngorms National Park has four aims set out by Section 1 of The National Parks (Scotland) Act 2000:

- (a) to conserve and enhance the natural and cultural heritage of the area,
- (b) to promote sustainable use of the natural resources of the area,
- (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public, and
- (d) to promote sustainable economic and social development of the area's Communities

Section 9 of that Act 2000 sets out that: "The general purpose of a National Park authority is to ensure that the National Park aims are collectively achieved in relation to the National Park in a co-ordinated way." Section 9.6 sets out that: "In exercising its functions a National Park authority must act with a view to accomplishing the purpose set out in subsection (1); but if, in relation to any matter, it appears to the authority that there is a conflict between the National Park aim set out in section 1(a) and other National Park aims, the authority must give greater weight to the aim set out in section 1(a)."

The CNPA is not the decision-maker for this project and has focussed its comments to date on the matters we have most expertise on, namely matters of Community and Private Assets, Outdoor Access, Ecology and Nature Conservation and Landscape and Visual impacts. Other statutory consultees have provided advice on the matters they focus on, all with a view to providing Transport Scotland with sufficient information to develop proposals for the route that take account of all relevant factors and minimise and mitigate the environmental impacts of the project.

The Cairngorms National Park Authority considered the draft order above and the associated Environmental Statement at its Planning Committee on 15 December 2017. Officers advised the Planning Committee that they were pleased that Transport Scotland and its consultant team had taken account of the detailed feedback provided by the CNPA in the processes leading to the draft order and that sensible mitigation for the various impacts identified had been included. Officers referred the Planning Committee to the Environmental Statement and its non-technical summary. The Planning Committee agreed at that meeting that officers should respond without objection to the proposals but with comments on matters of detail.

Since that meeting, officers have been made aware that Historic Environment Scotland consider the Environmental Statement has insufficient information in relation to the nationally important Killiecrankie Battlefield site to determine the significance of potential impacts. Such information should be taken into account in choosing a route that minimises impacts and in identifying appropriate mitigation. The Environmental Statement concludes that there is not a significant difference between widening the trunk road on either side of the existing A9 through the Killiecrankie Battlefield site. It appears that there is not yet evidence to make that assessment.

For that reason the CNPA **object** to the proposed scheme on the basis that there is insufficient information in relation to impacts on the Killiecrankie Battlefield site and that to make a decision without taking account of such information would be in conflict with the first aim of the National Park. We would be pleased to remove our objection should further investigation demonstrate that there are not significant impacts on the Killiecrankie Battlefield site, or that they can be avoided, minimised or mitigated. We remain satisfied with other elements of the proposals and will provide detailed comments on mitigation separately. We would be happy to work with Transport Scotland and other interested parties to ensure that if any further or additional mitigation is required, it takes account of the issues we have provided detailed advice on.

Yours sincerely

GAVIN MILES
Head of Planning and Communities