

KilliecrAnkie1689

OPEN LETTER TO DIARMID HEARNS, HEAD OF POLICY AT NTS

5 June 2018

I am writing to you on behalf of KilliecrAnkie1689, a group of local residents that is campaigning for a full review of Transport Scotland's design and route for dualling the A9 over the designated battlefield at Killiecrankie. We are in favour of upgrading the road but resolute in our opposition to Transport Scotland's damaging proposal.

The National Trust for Scotland (NTS) has made public statements twice in the past 3 weeks concerning planning and protection of historic sites in relation to Culloden Moor. Although there are complex circumstances particular to Culloden, the statements made by NTS are also pertinent to the situation in Killiecrankie where the NTS has a visitor centre that celebrates the historical and natural environments of the Pass of Killiecrankie.

On the same day as a Report (Stage 1) was published on the Planning (Scotland) Bill, attempting to bring about more equitable means of giving communities a say in planning decisions, Highland Council gave the go-ahead for new houses at Viewhill Farm, Culloden. The location lies within a conservation zone neighbouring the designated area of one of the most pivotal battlefields in Scotland's history.

In response to that, you said: "The situation at Culloden perfectly illustrates why the current planning system has to be reformed and that the current balance between the rights of communities, the significance of national heritage and the profits of developers is out of kilter." You also mentioned that Planning should be for public benefit, not just for a few; and that heritage and culture should be important factors in assessing plans and proposals for particular landscapes.

A week later the NTS formally objected to an application for a change of use of an equestrian centre to a holiday, leisure and hospitality facilities at TreeTop Stables, Faebuie on Culloden Moor. NTS says that this proposed development would sit within the boundaries of the Inventory of Historic Battlefields, the register which is maintained by Historic Environment Scotland (HES) to protect the country's premier battle sites.

The basis of the NTS objection resonates at Killiecrankie. There are similarities in both battlefields but there are important – and arguably more serious – factors at play here. The NTS is the guardian of the core battlefield area of Culloden. At

Killiecrankie, the entire NTS domain lies within the boundaries of the Inventory of Historic Battlefields. You have a prominent role at both sites.

At Culloden, the proposals are put forward by private developers and fall within the planning system. Although that system is demonstrably flawed, weighted as it is in favour of developers, the system at least acknowledges the community and the layers of protection that are in place. At Killiecrankie, the developer is Transport Scotland and the project is one of national importance. That means that it is not within the planning system. In spite of undertaking colossally expensive studies, the Scottish Ministers can subvert or ignore any or all the studies and the heavy layers of protection in order to give the green light to a design which, in our opinion, will inflict maximum damage to the Inventory battlefield at Killiecrankie.

Unlike at Culloden, HES has objected to Transport Scotland's proposal at Killiecrankie. HES goes into immense detail about the failings of the plan but the crucial fault is this: from the start Transport Scotland ignored the first rule of managing change on a historic site. It is to avoid disturbing historic assets in the first place. There is a blindingly clear imperative in current conservation policy that a developer must explore every option to complete a development without disturbing key assets. The assets which will be destroyed or demolished at Killiecrankie are all listed in the Inventory of Historic Battlefields. They are not separated from the core area of the battlefield as HES maintains developments at Culloden are but actually constitute the core area of the Killiecrankie battlefield.

HES warned Transport Scotland at an early stage of investigations that it was opposed to earthworks. Yet the design and route which Transport Scotland prefers is one predicated on dumping huge quantities of earthworks from elsewhere on top of the protected assets at the core of the battlefield. The reason Transport Scotland prefers this route and design – and favoured it from the beginning, according to our analysis -- is because of the financial savings it offers. Between the Girnaig burn and the Chluain burn, the new northbound carriageway and northbound slip road will need to be built on an artificially created embankment. The volume of material needed to fill the embankment for the new infrastructure is estimated to be between 110,000m³ and 150,000m³. All of this will cover the flat area that shadows the existing northbound carriageway. That is the very area where most of the fighting of the Battle of Killiecrankie took place.

This week Transport Scotland started archaeological fieldwork needed to plug some gaps in data that HES indicated were missing from Transport Scotland's justification for the route and design. While welcome, these necessary studies do nothing to resolve the fundamental errors in the proposal. However, Transport Scotland is now trying to resolve whatever objections it can in order to get them withdrawn so that it can push ahead with the proposal. It is an insidious part of the planning process as it means that every effort is made not to arrive at the best plan but to make a bad plan palatable to HES, to community members and to all other objectors.

This community had no role at all in decision-making besides examining maps and plans in the village hall at open exhibitions to publicise decisions that had already been taken. Residents are still systematically frozen out of the process. Transport Scotland has made it clear that it dislikes en masse community engagement. It prefers selective engagement to suit Transport Scotland's own needs, chief of which is to get its damaging plan accepted.

Nothing which Transport Scotland can offer by way of minor modifications of its preferred design is capable of transforming it into a desirable option for the community or any entity that has a role in protection of history or heritage, such as the NTS. As long as Transport Scotland is committed to absorbing tons of earthworks on the core of the Inventory battlefield, it must promote the route and design that it has chosen.

Transport Scotland used to defend its position by saying that the A9 already bisects the battlefield and therefore widening on either side of the road is a necessary evil. It is a shoddy justification but reveals that they did not consider the Inventory of Historic Battlefields at the start of the planning process. Had they done so, they would not have tried to argue that widening on either side is equally damaging. Had they considered policy on heritage protection, they would have understood the need to be able to demonstrate that the design does not compound damage already done. Had they not been satisfied with desk-based assessments instead of visiting the terrain in person before taking a decision, they would have gained an essential grasp of the choreography of the battle and not chosen to dump earthworks on the most sensitive part of the site.

In the interests of producing the best plan for the battlefield, Transport Scotland needs to admit its failings, seek a Public Local Inquiry, request submissions from all interested parties and hope that the Scottish Ministers accept the Reporter's recommendations.

It is vital that all those who objected impress upon Transport Scotland that what it calls a "compromise" will still involve the imposition of a hugely damaging proposal. A slightly modified bad plan would, in fact, be worse because the design and route would be less cost-effective. That means a defeat for everyone including the poor taxpayer whose confidence in projects that fall outside the planning system must now be at zero.

These are all topics on which NTS has been voluble in the context of Culloden. Yet here in Killiecrankie where the threat to our cultural heritage is even more serious, you have, so far, been silent. It is mystifying why the NTS has made no public pronouncements on controversial plans that have generated 183 objections in an area where your presence is dominant. Do you not have an obligation to your community neighbours and to all those visitors who come to marvel at the historic environment that you purport to champion? If your silence is due to acceptance of the proposals, surely your 360,000 members and the wider public are owed an

explanation about the discrepancy in your views of two of the country's most important Jacobite battle sites?

ENDS