

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

DMRB Stage 3 Environmental Statement

**Appendix A6.4: Record of Determination (RoD)**

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**EC DIRECTIVE 97/11  
 ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011  
 RECORD OF DETERMINATION**

<b>Name of Project:</b> A9 Dualling Luncarty to Pass of Birnam	<b>Location:</b> Luncarty to Pass of Birnam
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**Description of Project:**

Upgrading of the A9 trunk road to dual carriageway for approximately 9.5km between Luncarty and the Pass of Birnam. This would be achieved generally through the retention of the existing A9 road and constructing a parallel carriageway. A grade separated junction would also be provided north of Luncarty providing access to Tullybelton and Stanley and a new link road to provide access to Luncarty.

**Description of Local Environment**

The sections below provide brief descriptions of the local environment within a study area of 500m from the proposed dualling of the A9 between Luncarty and the Pass of Birnam. The baseline information is based on review of currently available information; primarily the findings of the DMRB Stage 2 environmental assessment (Atkins, 2009). Reference is made below to a 'study area', which extends to 500m from the existing A9.

**Community and Private Assets**

There are multiple community facilities located in both Luncarty and Bankfoot, including post offices, two public houses, a church, a local shop, a civic amenity centre, a nursery, a garden centre, a recreation club and a school.

The land use within the corridor is predominantly agricultural, with several farms and rural dwellings located throughout the study area. Farming within the study area is predominantly arable, ranging from grass for sheep and beef cattle, to cereals, seed potatoes, turnips and oil seed rape. Additionally, there are areas of moorland and coniferous forestry found within the study area.

**Geology, Soils, Contaminated Land and Groundwater**

The geology within the study area along the existing A9 is dominated by fluvioglacial sands and gravels, although some smaller areas of glacial till and alluvium are also present. There are no Regionally Important Geological Sites (RIGS) or geological Sites of Special Scientific Interest (SSSI) within the study area.

The majority of soil types occurring in the area are of a 3<sub>2</sub> quality, which is capable of producing high yields of oats, barley and grass.

No information was gained during the Stage 2 assessment to suggest that the study area contains any significantly contaminated land (Atkins, 2009). However, there are three registered landfill sites in the area, along with a Sewage Treatment Works located in close proximity to the existing A9.

The groundwater within the study has been classified by SEPA as susceptible to pollution.

**Road Drainage and the Water Environment**

There are a number of water environment features in vicinity of the A9, including the designated sites Cairnleith Moss SSSI and the River Tay Special Area of Conservation (SAC). Additionally, there are a number of smaller watercourses, surface water ditches and burns. Watercourses crossed by the A9 in this area include the Shochie and Ordie Burns, which are included within the River Tay SAC designated area.

The Garry Burn and its surrounding floodplain within the area of Bankfoot, and a floodplain to the northeast of Luncarty (a combination of the River Tay, Shochie and Ordie Burn) were identified as areas of potential surface flood risk.

Within the study area there are also a total of 11 discharge consents in the area, five of which are granted to the Bankfoot wastewater treatment works, four to the Luncarty sewage treatment works, one to a farm and one to a private household.



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**Ecology and Nature Conservation**

There are a number of species of conservation interest confirmed in the area, including:

- otters;
- bats (soprano and common pipistrelle);
- a number of bird species (including Schedule 1, UK BAP, LBAP and red/amber listed);
- common lizard;
- slow worm;
- water crowfoot; and
- river jelly lichen.

Suitable habitat for the following protected species have also been identified:

- bats;
- great crested newt;
- wildcat;
- badger;
- red squirrel;
- pine marten; and
- brown hare.

Habitats of significance to conservation in the study area include:

- salmonid waters of the River Tay, the Shochie, Garry and Ordie;
- Cairnleith Moss SSSI;
- River Tay SAC;
- Shochie Burn SSSI;
- three ponds with the potential to support great crested newts;
- fragments of Ancient Woodland Inventory (AWI) woodland within Muir of Thorn / Gelly Wood; and
- linear sections of broadleaved semi-natural woodland adjacent to the Schochie/Ordie Burns important for providing shelter areas for otters.

**Landscape**

Within the study area several areas of woodland which appear on the Ancient Woodland Inventory (AWI, maintained by SNH) have been identified, including a large area around the Muir of Thorn / Gelly Wood. An Area of Great Landscape Value (part of which is designated as Greenbelt) sits to the north of Perth, and a small segment of this area extends into the southern section of the study area. This has been identified in the Perth and Kinross Council Local Development Plan 2000 to safeguard it from inappropriate development.

There are a variety of vegetation types within the study area including ancient woodland, shelterbelt/field boundaries, woodland screening found at Luncarty and Bankfoot and roadside specimens such as mature oak trees.

Two 'detailed landscape character areas' (LCAs) were identified within the study area: Undulating Woodland and Moor LCA and Rolling Farmland and Settlement LCA. Further characteristics include the presence of agricultural land with farming practices and the presence of ancient woodland and historic roadside vegetation (e.g. mature oaks along the route of the old A9).

**Visual**

The Stage 2 assessment identified 24 principal fixed-point visual receptors which sit adjacent to the existing A9 route, and additional receptors located further from the A9 or having a partly obscured view. Mobile receptors include users of the Perth-Inverness Railway Line, National Cycle Network Route 77 (NCN77), the existing A9 and surrounding B roads.

The visual influence on the aforementioned receptors to the existing A9 is relatively small due to the topography of the study area. Furthermore, only a limited amount of properties have a view of the existing A9, which is relatively restricted due to surrounding landform and vegetation.

**Cultural Heritage**

The study area contains large quantity of prehistoric cultural heritage remains, the majority of which comprise of prehistoric settlement, ritual and funerary activity. There are eight Scheduled Monuments and 16 Listed Buildings within the study area. Other cultural heritage designations present in the area include records on the National Monuments Record of Scotland and the Scottish Sites and Monuments Records, a number of which are scattered either side of the route of the A9 between Luncarty and the Pass of Birnam. The study area generally has strong evidence for considerable settlement, ritual and funerary activity dating from the Neolithic, Bronze Age and Iron Age. It is considered that there is high potential for the discovery of yet unknown remains of significance to cultural heritage to add to those records currently known within the study area.

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**Air Quality**

One Air Quality Management Area (AQMA) has been declared by the Perth and Kinross Council in an area which encompasses the built up area of Perth, beyond the Inveralmond roundabout approximately 3km from the southernmost extent of the study area. The AQMA was declared due to the exceedences of annual mean NO<sub>2</sub> and PM<sub>10</sub> concentrations following the Perth and Kinross Council's review and assessment of air quality.

DEFRA does not operate any monitoring sites in the vicinity of the proposed scheme. It was determined that nitrogen dioxide concentrations would be below the air quality objectives in the immediate vicinity of the scheme despite the lack of monitoring data available within the study area.

**Noise and Vibration**

A variety of residential, industrial, commercial and community facilities are within 300m of the existing A9. It was estimated in the Stage 2 report that 289 residential properties (i.e. noise sensitive receptors) sit within 300m of the existing A9 corridor, the majority of which are located in Luncarty and Bankfoot. Other sensitive receptors include visitor centres, football clubs, churches, bowling/tennis clubs and schools.

**Effects on All Travellers**

The existing A9 in this location is a single carriageway with several lay-bys northbound and southbound, and four main junctions: the A9/B9099 north of Luncarty; A9/unclassified road to Tullybelton; A9/minor road to Stanley; and the A9/B867 to Bankfoot.

Between Inveralmond Roundabout and Luncarty a shared use footpath / cycleway is present alongside the southbound carriageway of the A9, but no continued provision is available along the Luncarty to Pass of Birnam section. Six non-motorised user (NMU) routes were identified from the Perth and Kinross Core Path Plan that cross the A9 at the Luncarty to Pass of Birnam section. The crossing points are situated at Northleys Farm/Luncarty; the A9/Stanley Junction; Westwood Farm; south of Bankfoot via underpass; North of Coltrannie Farm; and at Muir of Thorn / Gelly Wood. These routes were recorded as being used by NMUs particularly recreational walkers and ramblers.

National Cycle Network Route 77 (NCN77), which runs between Pitlochry and Perth, is also situated within the study area passing directly through Bankfoot.

**Description of the main environmental impacts of the project and proposed mitigation**

This section provides an overview of the main anticipated environmental impacts. General mitigation measures are outlined in the Stage 2 Environmental Report (Atkins, 2009). Additional mitigation measures will be developed during the development of the Stage 3 design and as part of the Stage 3 EIA process.

**Community and Private Assets**

The proposed dualling of the A9 will affect a number of private and community assets through land-take and severance of land required for the scheme. Land-take will predominantly affect agricultural land. Design refinement at Stage 3 will aim to mitigate through reducing land-take and by providing alternative access arrangements where practicable.

**Geology, Soils, Contaminated Land and Groundwater**

There are likely to be some adverse impacts as a result of land-take and the earthworks cut/fill volume differences. The effects of soil compaction from on-site traffic, and soil erosion from vegetation stripping for stock piling and site storage areas were assessed to be of minor significance during the Stage 2 assessment. Through appropriate mitigation measures (e.g. re-vegetation; reuse of material; adherence to soil stockpile management guidelines) effects can be mitigated, reducing effects on the areas of soil and geology. As noted above, limited contaminated land has been identified at the Stage 2 assessment. Potential groundwater impacts include reduced quantity and quality of groundwater.

**Road Drainage and the Water Environment**

Direct impacts associated with outflows and culvert extensions are anticipated on a number of watercourses including the Ordie Burn, Shochie Burn and Garry Burn which form part of the River Tay SAC designation, in addition to the Gelly Burn, which flows into Cairnleith Moss SSSI.



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Mitigation measures will be considered at Stage 3, including input to the design to inform aspects such as provision of Sustainable Drainage Systems (SUDS). A range of best practice measures will also be required during construction to avoid or reduce potential for impacts on the water environment.

**Ecology and Nature Conservation**

The main impacts on ecology and nature conservation are anticipated to be habitat loss, fragmentation, potential pollution to the Ordie Burn, Shochie and Garry Burn which form part of the River Tay SAC and loss of mature trees. Due to anticipated impacts to the River Tay SAC, Appropriate Assessment will be required and the scope of the Report to Inform the Appropriate Assessment (RIAA) is to be developed and agreed in consultation with SNH during the Stage 3 assessment.

Some areas of land-take are anticipated to affect woodland listed on the AWI as long established woodland of plantation origin. In addition potential impacts i.e. disturbance of associated protected species within these woodlands (wildcat, breeding birds, pine marten, bats and red squirrel) are also anticipated. Increased risk of mortality as a result of RTAs are also possible for otter, barn owls, bats and other mammal species.

Mitigation measures will be considered at Stage 3, and are likely to include design refinement and measures such as habitat replacement.

**Landscape and Visual**

The proposed dualling works are generally at the same vertical alignment therefore limiting landscape and visual impacts. However, landscape and visual impacts are anticipated to arise due to the introduction of new infrastructure and cuttings associated with the grade separated junction to Tullybelton/Stanley and revised accesses and link roads, areas of additional land-take and woodland losses.

Mitigation measures will be considered at Stage 3, and are likely to include landscape planting to provide integration of the new carriageway and visual screening.

**Cultural Heritage**

The proposed dualling will result in land-take and there is potential for direct impacts on non-designated cultural heritage assets e.g. sites on the National Monuments Record of Scotland (NMRS) and Scottish Monuments Record (SMR). The Stage 2 assessment did not identify any effects on Listed buildings or Scheduled Monuments, however, effects on setting will need to be considered during the Stage 3 assessment. The study area has been identified as having high archaeological potential due to the numerous known extant remains; accordingly there is a high risk of impacts on undiscovered archaeological assets.

Mitigation measures will be considered at Stage 3, and will include avoidance where possible of known sites. It is likely that further archaeological works will be required prior to construction in areas of high archaeological potential, with recording and excavation of finds.

**Air Quality**

There are no significant local air or global air quality effects predicted. The proposed upgrade is not expected to significantly increase vehicle movements, however changes in air quality may occur for some properties due to changes in separation distance. During construction, mitigation measures are likely to be required, following best practice for aspects such as dust control.

**Noise and Vibration**

It is likely that there will be a perceptible increase in noise on opening, especially for a number of properties in the areas of Luncarty and Bankfoot, due to expected increases in traffic speeds and consequently noise resulting from the dualling of the A9. The requirement for mitigation will be considered at Stage 3 once noise modelling data are available. During construction, mitigation measures are likely to be required, such as guidance on working hours and avoidance of night-time working where practicable near to residential areas.

**Effects on All Travellers**

The current proposals include for provision of an NMU route linking Bankfoot and Luncarty which will improve safety and access to community facilities in these areas. Driver stress is likely to be reduced and views from the road are not considered likely to be significantly affected.

**Policies and Plans**

Compliance with individual policies and plans will be considered at stage 3, however, due to potential significant effects noted above there is potential for some non-compliance with individual policies.



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**Extent of EIA work undertaken and details of consultation**

N/A – EIA is proposed for the Stage 3 Design. To date, the preferred option has been identified following a DMRB Stage 2 assessment, including consideration of potential environmental impacts. DMRB Stage 3 design and full EIA has now commenced. Environmental screening and scoping has been undertaken in accordance with the framework set out in the Environmental Impact Assessment (Scotland) Regulations 2011 under amendments to the Roads (Scotland) Act 1984 and is reported in a Screening and Scoping Report (Jacobs, 2013).

Public and statutory consultations have been previously undertaken during the DMRB Stage 2 assessment, as reported in the DMRB Stage 2 report (Atkins, 2009). Consultation is currently underway as part of the DMRB Stage 3 process, and to date has included meetings with affected landowners, SNH, SEPA, Historic Scotland and Perth and Kinross Council. Consultation letters to inform the Stage 3 assessment are due to be issued to a range of consultees.

**Statement of case in support of a Determination that a formal EIA and Environmental Statement is required:**

**Screening Determination:**

The works are considered to constitute a relevant project falling within Annex II of the EIA (Scotland) Regulations 2011, since they fall in part within a 'Sensitive Area', namely the River Tay Special Area of Conservation (SAC).

The project has been subject to screening using the Annex III criteria to determine whether formal EIA is required under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. Screening using Annex III criteria has identified a need for an EIA / ES because the works are likely to have a significant effect on the environment by virtue of factors such as:

- the works exceed 1ha in area; and
- there is potential for impacts to the River Tay SAC.

**Key elements of the works:**

Upgrade of the A9 to dual carriageway, upgrade to road drainage, revisions to local access and provision of a grade separated junction to Tulleybelton/Stanley.


**Location of the scheme:** Approximately 9.5 km of the A9 between Luncarty and the Pass of Birnam.

**References of supporting documentation:**

Atkins (2009). A9 Dualling Luncarty to Pass of Birnam – Stage 2 Environmental Assessment Report, Volume 1.

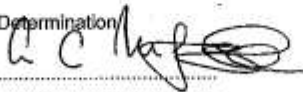
Jacobs (2013). A9 Dualling Luncarty to Pass of Birnam. Draft Strategic Planning Study Addendum Report.

Jacobs (2013). A9 Dualling Luncarty to Pass of Birnam Screening and Scoping Report.

SIGNATURE Transport Scotland Environmental Advisor: 

Date 12/11/2013

Authorisation to publish Notice of Determination

SIGNATURE: Director, MTRIPs: 

Date 18/11/13