

## CAIRNGORMS NATIONAL PARK AUTHORITY

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### FOR DECISION

**Title:** APPROVAL OF PROPOSED CNPA RESPONSE TO TRANSPORT SCOTLAND INFORMAL CONSULTATION ON THE A9 DUALLING, PROJECT 9 CRUBENMORE TO KINCRAIG

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### Purpose

This paper provides an overview of Transport Scotland's proposals for dualling the section of A9 between Crubenmore and Kincaig and asks the Committee to endorse the proposed CNPA response to this informal consultation.

### Recommendations

**That the Planning Committee:**

- a) note the proposed options for dualling of the A9 between Crubenmore and Kincaig; and
- b) approve the proposed CNPA response to the informal consultation.

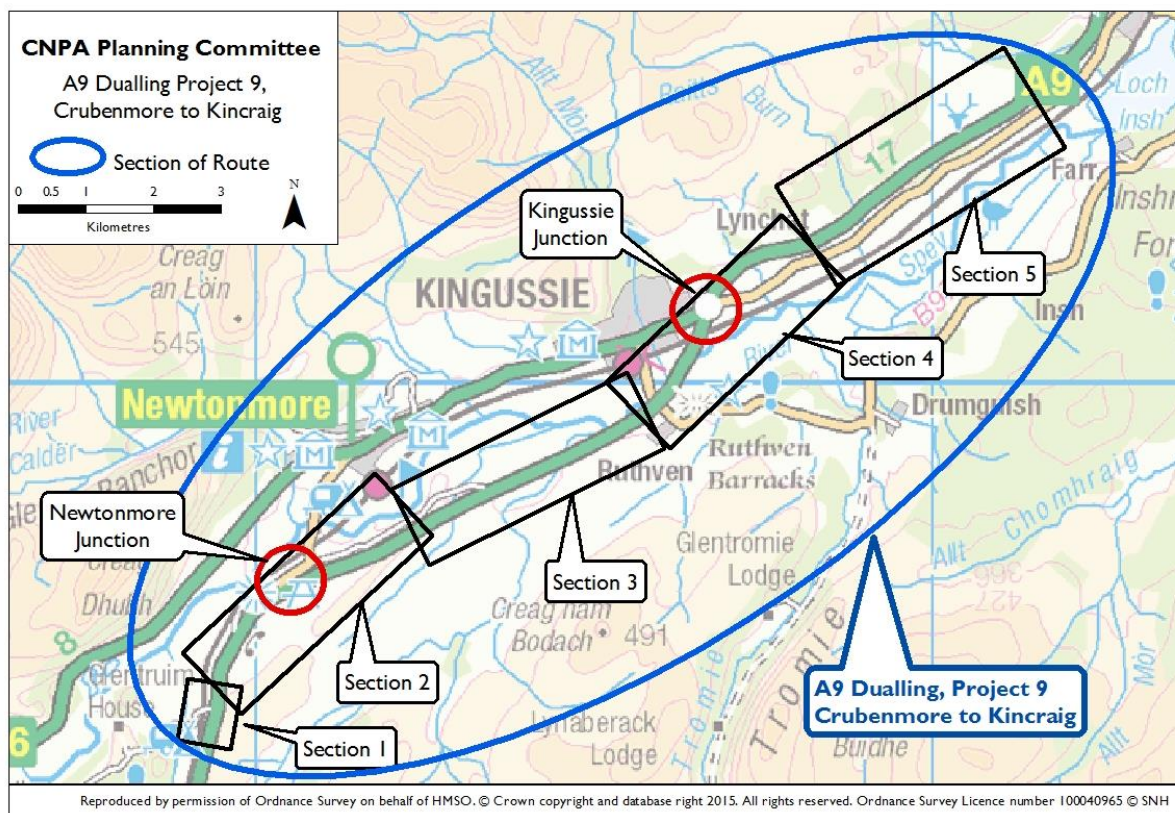
### Background

1. The CNPA and public agency partners are being informally consulted by Transport Scotland on outline proposals and options for dualling sections of the A9. The Committee have previously approved responses on projects 5, 6, 7, and 8. This fifth consultation is for Project 9 which covers the section of the A9 Crubenmore and Kincaig. It includes junction options at Newtonmore and Kingussie. A location map of Project 9 is shown on the following page and includes the five key sections and two junctions referred to in the paper.

### Explanation of the DMRB Stage 2

2. The Design Manual for Roads and Bridges (DMRB) Stage 2 assessment is a stage of the design process that allows a number of route options to be considered. The process provides information to help the Scottish Ministers to identify a preferred route option. Environmental impacts are considered alongside engineering, traffic and economic requirements. Once a preferred route option is confirmed, the design detail will be further developed and refined at DMRB Stage 3.
3. This Stage 2 consultation is non-statutory and is not a public consultation. Only the partners who sit on the Environmental Steering Group (ESG) for the project (SNH, SEPA, Historic Environment Scotland, Scottish Water, Local Authorities, and CNPA) are being asked to comment on options. The public are being asked to feed into the

process separately through public exhibitions. Detailed proposals will be developed and subject to a formal statutory consultation at DMRB Stage 3.



### Consultation Focus

4. Transport Scotland has provided a large amount of very detailed information in the Consultation Report. Key elements of this are summarised in this paper. CNPA are asked to comment on the following:
  - a) significant omissions or errors;
  - b) key concerns with regard to residual impacts; and
  - c) suggestions for consideration in more detail at DMRB Stage 3.

### CNPA's role in the Consultation

5. The partners in the ESG are all being consulted on this project. To avoid duplication of effort, the CNPA comments focus on issues relating closely to our remit and expertise and specifically those issues not covered by other partners. These include:
  - a) outdoor access (CNPA is the Access Authority);
  - b) landscape;
  - c) ecology (non-designated sites - SNH deals with Natura and designated sites only); and
  - d) community and private assets.

### Route Wide Issues

6. Many of the issues relating to the economy, tourism, communities, and disruption are similar for all projects along the route, including issues both during and post construction. Transport Scotland has established a number of Forums to consider how

potential issues and opportunities might be addressed. Any issues that are locally specific to a particular section of the route will be picked up in consultation.

## **Policy Context**

### ***The Design Manual for Roads and Bridges (DMRB)***

7. The Roads (Scotland) Act 1984 (the Act) confers powers and duties to the Secretary of State as roads authority. The Act declares that the Secretary of State shall manage and maintain trunk roads and for the purposes of such management and maintenance he shall have power to reconstruct, alter, widen, improve or renew any such road or to determine the means by which the public right of passage over it, or over any part of it, may be exercised. The infrastructure requirement of the dualling proposal has been developed following the Design Manual for Roads and Bridges (DMRB), which is considered to be sufficient to ensure a robust and fit for purpose design. Statutory (planning) permissions must also be gained through the Roads (Scotland) Act 1984.

### ***The DMRB Stage 1 Design Guide***

8. The Design Guide produced at Stage 1 of the DMRB is the key document against which proposals are assessed, incorporating principles for landscape, ecology, water etc. An 'Access Strategy' has been developed by Transport Scotland to provide general guidance on provision for non-motorised users (NMUs). The CNPA contributed to the development of this Design Guide which has been influenced by policies in the National Park Partnership Plan, Local Development Plan and other relevant strategies. Proposals put forward in the consultation are assessed against the Design Guide for compliance and impact.

### ***National Park Partnership Plan and Local Development Plan***

9. A preliminary assessment of the compliance of the project and each of the proposed route options against national, regional, and local development planning policies is provided in the Consultation Report. A limitation of the current assessment is that each route option is assessed against the available 'Stage 2' information. At DMRB Stage 2, the proposed route options have not been subject to detailed design or mitigation which might influence whether the option is fully compliant with policy. A detailed assessment will be undertaken by Transport Scotland at DMRB Stage 3 when the final design and mitigation is developed.

## **Summary of Project 9 Crubenmore to Kincaig**

### ***Route alignment***

10. This project is split into five sections between Crubenmore and Kincaig:
  - i. Section 1 (southern end at tie in with existing dual carriageway)
  - ii. Section 2 – including Newtonmore junction
  - iii. Section 3
  - iv. Section 4 – including Spey crossing and Kingussie junction
  - v. Section 5 (north end at tie in with Kincaig section - currently under construction)
11. Options for widening are proposed for each section. The options comprise two lanes in each direction, separated by a 2.5m central reserve and 2.5m verges (both with widened visibility where required).

12. Section 1 – at the southern end of this project, a short section with only one option provided; online widening to the east due to constraints of the river, railway line and NCR 7 to the west. There is an existing junction in this section providing access to the Glen Truim public road to Catlodge/Laggan including access to the caravan park. This access will be removed and an alternative access developed at DMRB Stage 3 likely to link with Ralia/Newtonmore proposed junctions.
13. Section 2 – two options are given, the first is online widening to the east. The second option is still to the east but offline therefore creating an entirely new dual carriageway and abandoning the existing road.
14. Section 3 – only one option is given, online widening to the east. Widening to the west is restricted by the existing floodplain.
15. Section 4 – four options are given. Two options widen to the east, one online and one offline. The other two options widen to the west, again one online and one offline. The online options retain the existing Spey crossing bridge and build an additional one adjacent. The two offline options require removal of the existing bridge and construction of a new dual carriageway bridge.
16. Section 5 – only one option is proposed, online widening to the west due to constraints of topography and existing infrastructure on the eastern side. This section includes Balavil, the Highland Wildlife Park and Meadowside Quarry.

### **Junctions**

17. This project includes four junction options, two at Newtonmore and two at Kingussie. Junction option '4' at Newtonmore is compatible only with the offline widening option, Junction option '7' with the online widening option.
18. The Junction options at Kingussie are compatible with all four alignment options. Both involve upgrading of the existing junctions at Kingussie but the second option '7' includes re-alignment of the connector road A86/B9152 where it passes under the A9.
19. Appendix I provides more detail on the proposed route and junction options.

### **Appraisal of options**

20. Appendix I provides a full appraisal of access, landscape, ecology and community and private asset matters. The appraisal is summarised below.

### **Outdoor Access: Non Motorised Users (NMU)**

21. The consultation report identifies NMU routes in the area, including Core Paths, Rights of Way, and National Cycle Route (NCR) 7 and potential impacts on these both in terms of the route itself as well as potential severance. The report omits the designation of the River Spey as a Core Path and as having a Right of Navigation.
22. Impacts on NCR 7 are minimised for Section 1 as widening is proposed to the east rather than to the west where the route lies.

23. National Cycle Route (NCR) 7 runs parallel to the A9 on the west for Section 2 so the proposal of widening to the east for both options is welcomed. Potential impacts on NCR7 and re-alignment to mitigate will be dealt with at Stage 3. The opportunity exists to improve connectivity between Ralia and NMU routes located east of the A9 including General Wade's Military Road. Key crossing points (including horse access) are all identified and continuity of access should be a consideration, particularly in relation to the junctions.
24. In Section 3 a variety of routes lead eastward from the existing A9 carriageway, these include links to General Wade's Military Road (GWMR) and Luibleathann Bothy. Retention will involve careful consideration of relevant road crossing points, locations for safe parking and connectivity between them. Appropriate connectivity with the current junction of GWMR and the A9 should be considered. There is also an opportunity to examine a potential new link between this northern terminus of GWMR and the B970 via Knappach.
25. Preferred alignment options for Section 4 are those where the impact on core paths at Glebe Ponds and Kerrow is minimised, and impacts on users of the River Spey. For Section 3, 4 and 5 NCR7 does not follow the A9 although there is an opportunity to create a re-aligned dedicated traffic-free cycle path located adjacent to the upgraded carriageway.

### ***Landscape and Ecology***

26. This is one of the most sensitive projects of the A9 programme with considerable environmental constraints within it. Matters dealing with impacts on the Spey SAC and other Natura sites are being dealt with by SNH and so our stated preferences do not explicitly take this into consideration. This is in accordance with the National Park/SNH casework protocol.
27. There is a clear preference for route and junctions options that require the smallest additional land for construction. This limits the effects on both landscape character and habitats. In section 2 route option 2a (online) combined with junction option 7 is the landscape and ecology preference. Route option 2b (offline) would allow for more mitigation woodland to be planted but this is not considered to be sufficient when considered alongside the greater loss of habitat and landscape impacts created by this wider construction area.
28. In section 4 the preference is for route options which limit land take. Option 4a is preferred in landscape terms as the route is widened away from the community of Kingussie rather than toward it. Option 4f, however, which widens offline towards the community has the benefit of minimising habitat loss. With all factors considered, the overall preference is therefore for option 4a.
29. This project is likely to have a significant effect on the Ancient Woodland along the road corridor. In particular it may mean the loss of much of the roadside oak woodland from Balavil to the Highland Wildlife Park. This is section 5 where no alternative alignment is given. This is a significant concern which must be carefully considered at the next stage of design to ensure this is limited as much as possible.

Suitable measures should be incorporated into the specimen design and strictly carried forward to the construction phase.

### **Community and Private Assets**

30. Based on the issues identified in the consultation report, there is no preference for any particular route in terms of Community and Private Assets. The alignment options for Section 4 at Kingussie which widen away from the community to the east are preferred rather than those that bring the road closer to the community.
31. Change associated with the anticipated closure of direct accesses to/ from the A9, and via alternative access connections to A9 junctions, could affect Community and Private Assets in terms of local business and estate operations, and residents who might currently enjoy direct access. The provision of suitable alternative access (particularly for the Glen Truim public road) is a key issue for design development at DMRB Stage 3.

### **Proposed Response to Consultation**

32. A detailed response is being prepared for submission to Transport Scotland identifying issues, mitigation requirements, and areas for further consideration based on the points above and the detail in Appendix I.

### **Significant omissions or errors**

33. The report does not identify the designation of the River Spey as a Core Path and Right of Navigation or the water access points and potential impacts on these. The report also wrongly identifies NCR7 as running parallel to the road in section 3 where it in-fact diverts into Newtonmore and on to Kingussie.
34. Where offline widening is proposed in Sections 2 and 4 the report does not make clear what will be done with the existing route and whether this will be retained or removed.

### **Key concerns with regard to residual impacts**

35. Removal of the existing junction at Glentruim in Section 1 will have a potential negative impact on residents and businesses who rely on this access at present. Provision of access to this area via the Newtonmore junction should be considered along with any potential impacts this may have on the existing NCR7 in this location.
36. In Section 2, access to the Ralia centre should be considered at Stage 3 and how this links with the Newtonmore Junction to allow access both north and southbound. Option 2a and associated Junction Option 7 are preferred due to lower land take.
37. Links across the A9 and to General Wade's Military Road in the west should be considered carefully at Stage 3 to accommodate NMUs.
38. At the Spey Crossing in Section 4, works to remove or protect embankments and the removal and construction of bridges must carefully consider the impacts on NMU water users as well as the impacts on landscape and ecology. The design of the bridge at Stage 3 will be fundamental to this.

39. Only one option is provided for Section 5 (widening to the west) which will have a key effect on Ancient Woodland. Careful consideration and mitigation is required at Stage 3.
40. It is proposed that CNPA respond with a preference for route options and junctions as follows:
  - i. Section 1 – 1a, online widening to the east (only option)
  - ii. Section 2 – 2a, online widening to the east and Junction option 7
  - iii. Section 3 – 3a, online widening to the east (only option)
  - iv. Section 4 – 4a, online widening to the east utilising the existing bridge and building a new one adjacent to it and Junction Option 2
  - v. Section 5 – 5a, online widening to the west (only option)

***Suggestions for consideration in more detail at DMRB Stage 3***

41. The CNPA suggests the following:
  - a) the detailed proposals will need to be carefully considered against the policies of the National Park Partnership Plan, CNP Local Development Plan, the Cairngorms National Park Core Paths Plan and the Design Guide;
  - b) the proposed options create issues that require mitigation proposals to be explored and also present opportunities for enhancement, in particular for NMUs and NCR7, access to properties, and enhancement planting for habitat connectivity, landscape, and views;
  - c) it is recommended that, as matter of considerable importance, all opportunity is taken to enhance (or replace with appropriate alternatives) existing features which support NMU access including car parking and improvements to public transport connectivity;
  - d) where possible, it would be helpful to identify initial proposals for 'accommodation works' to accommodate those communities and owners of private assets who will be adversely impacted by the project;
  - e) there should be detailed proposals to avoid detrimental impacts upon National Cycle Route 7 (NCR7) and its users, the approach should be one of seeking overall improvement to the existing standard which can be managed through a combination of design and mitigation - CNPA supports the principle of maintaining and where possible increasing, the distance of NCR7 from the carriageway;
  - f) where existing crossing points have been identified crossing the A9 carriageway, all viable options should be considered to allow them to continue once the upgraded A9 is operational or an alternative provided - permanent severance of existing Core Paths should be avoided;
  - g) where non-designated local paths are affected and permanent severance is likely, all viable options should be considered to allow them to continue once the upgraded A9 is operational, it is recognised that, in certain circumstances, maintaining Core Paths may be prioritised over non-designated paths; and,
  - h) if permanent severance of a path becomes necessary, it should be supported by a clear rationale and assessment to demonstrate that the severance will not unreasonably affect access opportunities in that area - the assessment should take account of the Land Reform (Scotland) Act 2003.
  - i) mitigation for loss of Ancient Woodland in Section 5 should be presented at Stage 3;
  - j) identification of impacts on water users of the Spey (including access and egress points) and appropriate mitigation should be considered.

## Recommendation

- 42. That Members approve the proposed CNPA response to Transport Scotland Consultation on the A9 Dualling, Project 9 Crubenmore to Kincaig**

## Next Steps

43. Once a preferred route option is confirmed, the design detail will be further developed and refined at DMRB Stage 3 which is anticipated to start later this year, and will include completion of an Environmental Impact Assessment and preparation of an Environmental Statement. Officers will report back to the Committee at an appropriate stage in that process.
44. The next DMRB Stage 2 consultation response will be for Project 11, Dalraddy to Slochd (including Aviemore), it is likely to come to Committee in October or November 2016.

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