



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

A96 Dualling Programme

Strategic Environmental Assessment
Tier 1 Environmental Report

Appendix B - Policy, Plans & Strategies
(PPS) Review

September 2014

Appendix B- Policies, Plans and Strategies (PPS) Review

Note: The table below has been revised since Tier 1 Scoping; rows with red text are PPS that have been added in response to Consultation Authority feedback.

#	PPS/ guidance name	Main requirements and environmental objectives of PPS/ guidance (in relation to A96 Dualling)	How it affects or is affected by the A96 Dualling Plan/ Programme in terms of SEA Issues at Schedule 3 of the Environmental Assessment (Scotland) Act 2005
Biodiversity Flora and Fauna			
1	EU Habitats Directive (92/43/EC)	Requires the designation of areas of habitat which support certain species as Special Areas of Conservation (SACs). SACs (along with Special Protection Areas and Ramsar Sites) are classed as Natura 2000 sites.	Tier 1 SEA will identify, map and consider Natura sites as key constraints
2	EU Wild Birds Directive (79/409/EEC)	Requires the designation of areas associated with wild birds (including nesting and overwintering sites) as Special Protection Areas (SPAs). SPAs (along with Special Areas of Conservation and Ramsar sites) are classed as Natura 2000 sites.	Plan-level Habitats Regulations Appraisal (HRA) Screening will be undertaken at SEA Tier 2
3	Wildlife and Natural Environment (Scotland) Act 2011	The Act amended a number of other pieces of legislation including the Wildlife and Countryside Act 1981 and the Deer (Scotland) Act 1996. With respect to A96 Dualling, the Act: <ul style="list-style-type: none"> - introduces new wildlife offences (including vicarious liability), - abolishes the designation of 'areas of special protection', - creates a new regime for regulating invasive and non-native species, - makes changes to the licensing system for protected species, - amends current arrangements for deer management, - strengthens protection of badgers and - makes operational changes to the management of Sites of Special Scientific Interest. 	Tier 1 SEA will identify, map and consider SSSI sites as key constraints No ecological surveys are proposed for SEA work Appropriate ecological surveys and species mitigation through DMRB and EIA processes will be designed into project level schemes

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4	Conservation (Natural Habitats &c.) Amendment (Scotland) Regulations 2007	<p>These Regulations amend a number of other pieces of legislation including the Conservation (Natural Habitats, &c.) Regulations 1994, and the Wildlife and Countryside Act 1981.</p> <ul style="list-style-type: none"> - protects certain animals and plants from disturbance - requires an appropriate assessment to be carried out if a proposed development is likely to have any significant effects on a European designated site - notes that overriding public interest may play a part in the decision-making process 	<p>Tier 1 SEA will identify, map and consider Natura, SSSI and Ancient Woodland Inventory sites as key constraints</p> <p>Plan-level Habitats Regulations Appraisal (HRA) Screening will be undertaken at SEA Tier 2</p>
5	Nature Conservation (Scotland) Act (2004)	<p>Places a duty on public bodies and office-holders to make provisions for biodiversity conservation when carrying out any activity.</p> <p>Puts restrictions on any activities which might damage a protected feature of a SSSI; requires consent from SNH (although there are exceptions to this, of which Planning Permission under Part III of the Town and Country Planning (Scotland) Act 1997 is one).</p> <p>Covers the creation of Nature Conservation Orders and Land Management Orders, prohibiting certain activities on certain land.</p>	<p>Tier 1 SEA will identify, map and consider Natura, SSSI and Ancient Woodland Inventory sites as key constraints</p> <p>No ecological surveys are proposed for SEA work; however, biodiversity and nature conservation will be considered throughout the SEA process</p> <p>Appropriate ecological surveys and species mitigation through DMRB and EIA processes will be designed into project level schemes</p>
6	Habitat Regulations 1994 (as amended in Scotland)	<p>Transposes Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law.</p> <p>The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.</p>	<p>Confirms the importance of the Natura 2000 network of sites</p> <p>Plan-level Habitats Regulations Appraisal (HRA) Screening will be undertaken at SEA Tier 2</p>
7	Wildlife and Countryside Act 1981	<p>Covers the designation of sites including SSSIs and NNRs.</p> <p>Imposes restrictions on development on SSSIs and the disturbance of protected species.</p> <p>Details the need for mapping of public rights of way.</p>	<p>Tier 1 SEA will identify, map and consider SSSI and NNR sites as key constraints</p> <p>GIS constraint mapping will also identify Core Paths and the National Cycle Route Network</p>
8	DRAFT North East Scotland LBAP 3-Year Plan 2012-2015	<p>Sets out the need for action plans to be developed for national priority species and habitats, as well as species and habitats of local importance.</p> <p>Identifies awareness groups for certain habitats and species.</p>	<p>Identifies important habitats and species at a regional level including lowland raised bogs, water vole (<i>Arvicola amphibius</i>), and red squirrel (<i>Sciurus vulgaris</i>)</p> <p>Specific habitats and NBN species records may be mapped at SEA Tier 2, if required</p>

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<u>Key Issues (for Tier 1 SEA)</u>			
<ol style="list-style-type: none"> 1. Identify and map Natura sites, Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), Ancient Woodland Inventory and Native Woodland Survey of Scotland (NWSS) sites as key constraints 2. Consider direct and indirect effects on habitats and species 			
Water			
9	Water Framework Directive (WFD) 2003	Provides an overarching strategy for water management, including a requirement for EU Member States to ensure that they achieve 'good ecological status' for all surface and ground waters by 2015 and limit the quantity of groundwater abstraction so as not to adversely affect ecology.	Tier 1 SEA will include surface watercourses and SEPA's 1:200 year flood hazard mapping for fluvial, coastal and surface water flooding in GIS constraints mapping
10	Flood Risk Management (Scotland) Act 2009	Makes provision for the assessment and sustainable management of flood risks, including implementing European Parliament and Council Directive 2007/60/EC; to make provisions on local authorities' and the SEPA's functions in relation to flood risk management; to amend the Reservoirs Act 1975; and for connected purposes.	Tier 2 SEA will include a route-wide Strategic Flood Risk Assessment, which will also provide specific input to more detailed assessment of shortlisted options
11	Water Environment and Water Services (Scotland) (WEWS) Act (2003)	Makes provision for the protection of the water environment, including implementing European Parliament and Council Directive 2000/60/EC. Reducing the pollution of groundwater and aiming to enhance protection and improvement of the aquatic environment through, amongst other things, specific measures for the progressive reduction of discharges, emissions and losses of priority substances and the cessation or phasing out of discharges, emissions and losses of the priority hazardous substances	Tier 1 SEA will recognise water quality and SuDS issues, but will not go into WEWS/ CAR detail Tier 2 SEA will consider watercourse crossing and drainage issues through the SFRA and more detailed assessment of shortlisted options
12	The River Basin Management Plan for the Scotland River Basin District 2009-2015	Sets out a plan to improve the quality of water within the Scotland River basin district which currently falls below "good" condition status in line with the requirements of the Water Framework Directive (2003). Details the current condition of surface waterbodies and groundwater within the Scotland River Basin District. Sets a target for 98% of Scotland's waterbodies to reach "good" status or better by 2027.	Tier 1 SEA will include surface watercourses and SEPA's 1:200 year flood hazard mapping for fluvial, coastal and surface water flooding in GIS constraints mapping

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13	Improving the quality of Scotland's water Environment. North East Scotland Area Management Plan 2010-2015	Sets out a management plan for the North East Scotland area in order to meet the objectives set out in the <i>River Basin Management Plan for the Scotland River Basin District</i> .	Tier 1 SEA will include surface watercourses and SEPA's 1:200 year flood hazard mapping for fluvial, coastal and surface water flooding in GIS constraints mapping This PPS will be revisited at Tier 2 to inform the SFRA and more detailed assessment of shortlisted options
14	Improving the Quality of Scotland's water environment. North Highland area management plan 2010-2015	Sets out a management plan for the North Highland area in order to meet the objectives set out in the <i>River Basin Management Plan for the Scotland River Basin District</i> .	Tier 1 SEA will include surface watercourses and SEPA's 1:200 year flood hazard mapping for fluvial, coastal and surface water flooding in GIS constraints mapping This PPS will be revisited at Tier 2 to inform the SFRA and more detailed assessment of shortlisted options
Key Issues (for Tier 1 SEA)			
<ol style="list-style-type: none"> 1. Identify and map fluvial, surface water and coastal flood risk areas (1:200 year return period), including SEPA's updated flood risk maps 2. Identify and map surface watercourses and waterbodies 3. Consider direct and indirect impacts on water quality 			
Soil			
15	Getting the Best from Our Land: A land use strategy for Scotland, 2011	Highlights the importance of Scotland's land resources, and promotes their efficient and effective use. Re-enforces the need to mitigate the effects of climate change. Promotes the "ecosystem approach" and the effective use of ecosystem services. Encourages public access to land.	Tier 1 SEA will include productive agricultural land and peat soils in GIS constraint mapping Tier 2 will consider these constraints in more detail for shortlisted options

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16	Scottish Soil Framework 2009	<p>The aim of the Framework is to 'promote the sustainable management and protection of soils consistent with the economic, social and environmental needs of Scotland'.</p> <p>The framework identifies 13 objectives;</p> <ul style="list-style-type: none"> • Soil organic matter stock protected and enhanced where appropriate • Soil erosion reduced and where possible remediated • Soil structure maintained • Greenhouse gas emission from soils reduced to optimum balance • Soil biodiversity, as well as above ground biodiversity, protected • Soils making a positive contribution to sustainable flood management • Water quality enhanced through improved soil management • Soil's productive capacity to produce food, timber and other biomass maintained and enhanced • Soil contamination reduced • Reduced pressure on soils by using brownfield sites in preference to greenfield • Soils with significant historical and cultural features protected • Knowledge and understanding of soils enhanced, evidence base for policy review and development strengthened • Effective coordination of all stakeholders roles, responsibilities and actions 	<p>Tier 1 SEA will include productive agricultural land, peat soils and designated geological/ geodiversity sites as key constraints in GIS constraint mapping</p> <p>Tier 2 will consider these constraints in more detail for shortlisted options</p>
17	The Waste Management Licensing (Scotland) Regulations 2011	<p>Requires that waste should be managed according to the waste hierarchy:</p> <p>“(a) waste prevention; (b) preparing for re-use; (c) recycling; (d) other recovery, including energy recovery; (e) disposal”</p> <p>Sets out objectives for waste management which include: “ensuring that waste is managed without endangering human health and without using processes or methods which could harm the environment...”</p>	<p>Tier 1 SEA records this PPS for further consideration at Tier 2, in response to SEPA's request</p> <p>Tier 2 SEA will revisit this PPS when developing recommendations for later stages of DMRB design and environmental assessment</p>

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Key Issues (for Tier 1 SEA)			
<ol style="list-style-type: none"> 1. Identify and map designated geological/ geodiversity sites, including SSSI and Geological Conservation Review (GCR) sites 2. Identify and map productive agricultural land and peat soils 3. Consider direct and indirect impacts on soil 			
Material Assets			
18	Infrastructure Investment Plan (2011)	<p>Sets out priorities for infrastructure investment in Scotland.</p> <p>Commits to a “dualled road network” between all of Scotland’s cities, including Aberdeen and Inverness, by 2030.</p> <p>Prioritises sustainable economic growth.</p> <p>Promotes the use of bypass schemes to relieve pressures on communities.</p>	Tier 1 SEA will assess six strategic intervention options to provide the evidence of independent assessment for the ‘Environment’ criteria to support the STAG Appraisal process and the developing business case for the Inverness to Aberdeen corridor
19	Government Economic Strategy (2011)	<p>Sets out the Scottish Government’s strategic priorities for the purpose of driving sustainable economic growth.</p> <p>Highlights “Infrastructure Development and Place” as a key strategic priority.</p>	The Inverness to Aberdeen strategic corridor study will support the delivery of GES objectives by appraising options to improve strategic transport infrastructure in the North East region of the country
20	National Renewables Infrastructure Plan (N-RIP) Stage 2 (2010)	<p>Notes the importance of an efficient road network for access to offshore and onshore renewable energy sites.</p> <p>Notes the importance of multiple sites (e.g. Aberdeen and Ardersier) within the A96 corridor for the development of offshore renewables infrastructure.</p>	It is expected that A96 corridor improvements will support the delivery of N-RIP objectives by improving access and connectivity to key coastal sites in the North East
21	Strategic Transport Projects Review (STPR) and SEA (2008)	<p>Identifies future interventions for the transport sector in line with Scottish Government priorities of sustainable economic growth and climate change mitigation. The SEA Environmental Report assesses the potential environmental impacts of the various interventions proposed in the STPR.</p> <p>Promotes the need for improved connectivity between Scotland’s cities.</p> <p>Recommends dualling of the A96 between Inverness and Nairn as a priority intervention; however, STPR did not recommend full dualling of the A96.</p>	Changes in national policy context, since 2008, have led to the current Inverness to Aberdeen corridor study to determine options for improve connections between the cities
22	National Transport Strategy 2006	The NTS sets out overall aims including improving journey times and connections, reducing emissions, and improving the quality, accessibility and affordability of public transport.	The Inverness to Aberdeen corridor study is considering options which could support delivery of NTS objectives on improving journey times and connections and road safety

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23	Aberdeen to Inverness Rail Improvements Project	Supports STPR and NTS objectives to reduce journey time and increase public transport travel opportunities between Aberdeen and Inverness. Journey time reductions to be delivered through line speed improvements, additional passing loops, double tracking, and signalling improvements. New stations to be provided at Kintore and Dalcross	This project is included within Tier 1 SEA consideration of a 'Do Minimum' scenario and development of a future baseline Tier 2 SEA may consider this project under cumulative/ in-combination effects assessments
24	Design Manual for Roads and Bridges (DMRB) (amended November 2012)	The DMRB sets out the requirements of the relevant Overseeing Organisations of England, Scotland, Wales and Northern Ireland applicable to the design of highways including construction and maintenance works. Outlines a three-stage design process with progressively more detailed assessment and refinement of route corridors and alignments at each stage.	Future road transport interventions in the Inverness to Aberdeen corridor will comply with the guidance/ standards requirements set out in DMRB Tier 1/ Tier 2 SEA will deliver route-wide constraints mapping/ risk identification and preliminary environmental assessment at a level generally equivalent to DMRB Stage 1
25	Scottish Transport Appraisal Guidance (STAG) (2008)	STAG provides best practice guidance for various parties including Transport Scotland, developers and consultants in relation to the assessment of options for the development of Scottish transport infrastructure, including requirements on Economy, Environment, Safety, Accessibility and Integration.	Tier 1 SEA will provide the evidence base and audit trail for the assessment of the 'Environment' criteria for the STAG Appraisal of the Inverness to Aberdeen Corridor
26	Roads (Scotland) Act 1984	Makes provision for all works pertaining to public roads and sets out the procedures Scottish Ministers must follow in promoting orders for new roads. The principal stages of the process are: <ul style="list-style-type: none"> - Choosing a route - Publication of draft road orders - Draft compulsory purchase order (CPO) - Public local inquiry - Finalised roads RSA orders and CPO made - Compensation 	A96 dualling (if taken forward) design/ assessment stages and final preferred route alignment design and environmental impact assessment will be delivered to ensure compliance with Act, such that Road Orders can be made

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27	HiTRANS Regional Transport Strategy 2008 - 2023	<p>The Strategy has as its vision enhancing the area's viability - enhancing its place competitiveness and thereby attracting and retaining people in the area and making it a more attractive place in which to live, to work, to conduct business and to visit.</p> <p>This vision will be achieved through improving the interconnectivity of the whole area to strategic services and destinations. This will require development of a fit for purpose, multi-modal transport system.</p> <p>The Strategy's principal benefit to the communities and businesses of the HiTRANS area will be to increase sustainable economic growth, in line with Scottish Government's Economic Strategy, by enabling the area to compete and support growth.</p>	A96 corridor improvements are predicted to support the delivery of HiTRANS RTS objectives
28	NESTRANS Regional Transport Strategy /2021	<p>Details transport priorities in Aberdeen City and Shire. Notes the importance of an effective road network for freight transport, and for access to Aberdeen City.</p> <p>Highlights protection of the environment and conservation as key considerations in the delivery of transport programmes. Identifies economic development and emissions reductions as key drivers.</p>	A96 corridor improvements are predicted to support the delivery of NESTRANS RTS objectives
<u>Key Issues (for Tier 1 SEA)</u>			
This topic has been 'scoped out' from the assessment for Tier 1 SEA; however, GIS includes OS base mapping tiles at a range of resolutions including the current A96 route, the surrounding road network and the Aberdeen to Inverness rail line			
Population and Human Health			
29	Agenda For Cities/ Connecting Cities (2011)	<p>Sets out key aims for Scotland's cities including the delivery of "Connected Cities".</p> <p>Prioritises improving strategic transport and communications connectivity. Also prioritises decreasing journey times, particularly between Aberdeen and Inverness.</p>	The Inverness to Aberdeen Corridor study has been undertaken to support the delivery of the Agenda for Cities/ Connected Cities objectives
30	NPF 3 (2014)	<p>Notes the importance of improving transport links between cities; identifies dualling of the A96 as a "key priority".</p> <p>Also notes that transport infrastructure should be designed in a way so as to be resilient to climate change.</p> <p>Prioritises the reduction of greenhouse gas emissions.</p> <p>Recognises land as a key asset to Scotland.</p>	NPF3 identifies A96 dualling as a key priority; Tier 2 SEA will assess the associated environmental issues and risks for a range of alternative improvement strategies

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33	Scottish Planning Policy (2014)	<p>Sets out key outcomes and policy principles for planning in Scotland.</p> <p>Highlights the importance of issues including:</p> <p>“Valuing the Historic Environment... Valuing the Natural Environment... Enhancing Green Infrastructure... Promoting Responsible Extraction of Resources... Promoting Sustainable and Active Travel... Managing Flood Risk and Drainage... Reducing and Managing Waste”</p>	<p>Strategic/ trunk road transport infrastructure generally does not fall within the remit of SPP; however the design, environmental assessment and construction processes of any interventions taken forward from the Inverness to Aberdeen corridor study will embed similar principles</p>
34	Aberdeen Local Development Plan 2012	<p>Deals with all development within the City of Aberdeen; puts forward future aims and objectives for the city.</p> <p>Proposes development and acknowledges that infrastructure will have to be developed accordingly to support new developments.</p> <p>Acknowledges the importance of access to open spaces for Aberdeen City residents.</p>	<p>A96 corridor improvements will support the delivery of Aberdeen City LDP objectives, e.g. on infrastructure improvement for future development and access</p>
35	Aberdeen Local Development Plan Main Issues Report 2014	<p>Updates the 2012 Aberdeen Local Development Plan and identifies main issues for the subsequent Aberdeen Local Development Plan.</p> <p>Lists major committed schemes within the Aberdeen City local authority area, and identifies areas proposed for development.</p> <p>A key aim identified within this main issues report is to “take on the urgent challenges of sustainable development and climate change”</p>	<p>Tier 2 SEA will include LDP allocations in constraints mapping/ analysis</p>
36	Aberdeenshire Local Development Plan 2012	<p>Sets out proposals for development within Aberdeenshire.</p> <p>Aims to reduce emissions and manage flood risk. Notes the importance of cars in rural areas. Prioritises the protection of historic sites and designated conservation areas, committing to adopting the “precautionary principle” in cases of uncertainty.</p>	<p>A96 corridor improvements will support the delivery of Aberdeenshire LDP objectives, e.g. on future development</p> <p>Tier 2 SEA will consider LDP allocations in constraints mapping/ analysis, in conjunction with historic environment features, conservation areas, 1:200 year flood risk extents</p> <p>SEA will employ the precautionary principle throughout</p>
37	Aberdeenshire Local Development Plan 2016 Main Issues Report	<p>Updates the 2012 Aberdeenshire Local Development Plan and identifies main issues for the subsequent Aberdeenshire Local Development Plan.</p> <p>Identifies proposed local nature conservation sites.</p> <p>Identifies broad areas for potential housing expansion</p>	<p>The plan notes uncertainty regarding development in Inverurie which will depend on decisions regarding A96 corridor improvements</p> <p>Tier 2 SEA will include LDP allocations, local nature conservation sites in constraints mapping/ analysis</p>

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38	Moray Local Plan (2008) and Main Issues Report (2012)	<p>Puts forward proposals for various sectors including “Transport and Accessibility”. Notes the importance of effective road networks for both commuting and freight, supporting dualling of the A96.</p> <p>The Moray Local Plan Main Issues Report (2012) identifies a number of priorities to update the 2008 Local Plan.</p> <p>These include the provision of effective transport links to Scotland as a whole, and improved traffic management within the centre of Elgin.</p>	<p>A96 corridor improvements will support the delivery of the Moray Local Plan objectives, e.g. on infrastructure improvement for commuting and freight, improved traffic flows around Elgin and improved connectivity to Scotland as a whole</p> <p>Tier 2 SEA will consider LDP allocations in constraints mapping/ analysis</p>
39	Moray Local Development Plan Consultation Document 2014	<p>Follows on from the 2012 Main Issues Report, identifying updates to the 2008 Moray Local Plan. Contains primary policies relating to “Sustainable Economic Growth”, “Climate Change” and “Placemaking”.</p> <p>Includes a number of policies concerning the protection of the natural and historic environments, as well as waste management and flood risk.</p> <p>Designates an “Area of Special Control” around Pluscarden Abbey.</p> <p>Promotes the Scottish Planning Policy’s objectives related to transport and promotes transport infrastructure improvements through “dualling the A96 Aberdeen to Inverness route with early delivery of bypasses for settlements prioritised.”</p>	<p>A96 corridor improvements will support the delivery of the Moray Local Development Plan objectives</p> <p>Tier 2 SEA will consider LDP allocations, including the ‘Area of Special Control’ in constraints mapping/ analysis</p>
40	Highland – wide Local Development Plan 2012	<p>The Local Development Plan sets out the overarching vision statement, spatial strategy and general planning policies for the whole of the Highland Council area, except the area covered by the Cairngorms National Park Local Plan.</p> <p>It identifies strategies to support the growth of all communities across the Highland area including; sustainable Highland communities, safeguarding the Highland environment, supporting a competitive, sustainable and adaptable Highland economy, achieving a healthier Highlands and providing better opportunities for all.</p>	<p>The plan highlights the importance of A96 improvement schemes and identifies infrastructure improvements as crucial in facilitating economic growth in the Highlands</p> <p>Tier 2 SEA will consider LDP allocations in constraints mapping/ analysis</p>
41	A96 Growth Corridor Development Framework (The Highland Council, 2007) (“The A96 Corridor Masterplan”)	<p>Sets out proposals for development within the A96 corridor between Inverness and Nairn, including settlement and airport expansion.</p> <p>Highlights the importance of infrastructure development and promotes dualling of the A96.</p>	<p>The section of the A96 between Inverness and Nairn is already at DMRB Stage 2 design and has been subject to public exhibition on potential route alignment options</p> <p>This section will be scoped out from detailed SEA assessment as it is already on a separate timeline; however, it will be considered at a broad scale in terms of the corridor baseline and potential for cumulative effects at the route-wide level (effectively covers Sections 1 and 2 of the SEA baseline study area)</p>

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42	Scottish Sustainable Communities Initiative (2008)	Sets out principles for sustainable development in various sectors including transport.	The Inverness to Aberdeen corridor study is appraising options including consideration of how they will be expected to support the delivery of sustainable communities objectives
43	EU Environmental Noise Directive (2002/49/EC)	Aims to establish a common approach to dealing with the effects of environmental noise through a hierarchy of avoidance, prevention and reduction. Requires the creation of “strategic noise maps” for certain noise sources including major roads.	Tier 2 SEA will consider noise as construction noise (short term, temporary) and traffic noise (long term, intermittent intensity around peak times and/ or depending on proximity to the road, effectively permanent) in the assessment
44	Cycling Action Plan for Scotland (CAPS) 2013	Outlines a number of actions intended to increase the number of journeys taken by bike in Scotland. Actions include, for example, development and mapping of infrastructure improvements, and the connection of rural communities through improvements to the National Cycle Network.	A96 dualling (if it is taken forward) will consider the CAPS objectives and those of the Trunk Road Cycling Initiative to determine issues and opportunities for delivery at the local level A non-motorised users strategy will be developed, which will be reviewed as available via Tier 2 SEA
45	Trunk Road Cycling Initiative	Aims to develop a network of cycling infrastructure parallel to trunk roads, preventing the need for cyclists to use trunk roads for safety reasons. Sets out action points to deliver suitable cycling infrastructure along/ nearby trunk roads in Scotland.	
<u>Key Issues (for Tier 1 SEA)</u>			
<ol style="list-style-type: none"> 1. Identify and map the communities within the A96 baseline study area 2. Identify and map non-motorised user routes, including Core Paths and National Cycle Network routes 3. Consider direct and indirect impacts for communities/ road users/ non-motorised users 			
Landscape			
46	European Landscape Convention 2000	Promotes the protection and sensitive management of landscapes within Europe.	Tier 1 SEA includes GIS mapping of SNH's broad landscape character assessment types, but no assessment of sensitivity Tier 2 SEA will consider landscape sensitivity in more detail

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47	The View from the Road- SNH Commissioned Report No. 293 (2005)	Aims to promote Scotland's scenic views by improving views visible from roads, and by providing roadside facilities such as laybys from which to appreciate these views. Also notes the importance of views from other modes of transport such as rail, and acknowledges the importance of the appearance of roads within the landscape.	Tier 2 SEA will make reference to 'The View from the Road' in mitigation/ improvement recommendations to be taken forward for more detailed DMRB design and environmental assessment stages
48	Natural Heritage Zones: A National Assessment of Scotland's Landscapes (2002)	This document defines "landscape" and "landscape character", and describes the state of Scotland's landscape today, identifying pressures as well as opportunities. Infrastructure development (including the upgrading and widening of existing roads, and the construction of new roads) is identified as a factor which can influence the Scottish landscape both positively (by increasing accessibility), and negatively (by impacting the sense of "remoteness")	Tier 2 SEA will revisit this document to inform the approach to sensitivity for shortlisted options
49	Inner Moray Firth Landscape Character Assessment (1998)	Describes the landscape within the Inner Moray Firth District, and lists the landscape character types present in the area. Lists potential "forces for change" for each landscape character type, and provides guidance on how to minimise impacts on the landscape.	Tier 2 SEA will revisit this document to inform the approach to sensitivity for shortlisted options
50	Moray and Nairn Landscape Character Assessment (1998)	Describes the landscape within the Moray and Nairn District, and lists the landscape character types present in the area. Lists key issues and "sensitivity to change" for each landscape character type, providing some guidance on how to minimise impacts on the landscape.	Tier 2 SEA will revisit this document to inform the approach to sensitivity for shortlisted options
51	Inverness District Landscape Character Assessment (1999)	Describes the landscape within the Inverness District, and lists the landscape character types present in the area. Lists key characteristics as well as key forces for change for each landscape character type, and provides guidance on how to minimise impacts on the landscape.	Tier 2 SEA will revisit this document to inform the approach to sensitivity for shortlisted options

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52	Fitting Landscapes, Transport Scotland (2014)	<p>Deals with the design of transport corridors to fit in with the landscape.</p> <p>Notes the importance of transport networks as “windows” to Scotland’s landscape/ environment.</p> <p>Promotes four key aims:</p> <ol style="list-style-type: none"> 1. Ensure high quality of design and place; 2. Enhance and protect natural heritage; 3. Use resources wisely; 4. Build in adaptability to change.” <p>Promotes integration of transport corridor design with the landscape, and also promotes sustainability through the use of local materials.</p>	Tier 2 SEA will revisit this document to inform the development of recommendations, following the assessment of shortlisted options
<u>Key Issues (for Tier 1 SEA)</u>			
<ol style="list-style-type: none"> 1. Identify and map nationally designated landscape areas, including National Parks and National Scenic Areas 2. Include SNH Broad Landscape Character Area (LCA) types in GIS mapping 3. Consider potential for effects at the landscape character scale 			
Historic Environment (Cultural Heritage)			
53	The Historic Environment (Amendment) (Scotland) Act 2011	<p>The Act is a technical amending piece of legislation that improves the management and protection of Scotland’s historic environment. It addresses specific gaps in the current heritage legislation framework, amending three pieces of primary legislation:</p> <ul style="list-style-type: none"> - The Historic Buildings and Ancient Monuments Act 1953; - The Ancient Monuments and Archaeological Areas Act 1979; and, - The Planning (Listed Buildings and Conversation Areas) (Scotland) Act 1997. <p>The Act aims to harmonise aspects of historic environment legislation with the planning regime; improve the ability of central and local government to work with developers and their partners; and improve the capacity to deal with urgent threats and increase the efficiency and effectiveness of deterrents.</p>	<p>Tier 1 SEA will include scheduled monuments, battlefields, gardens and designed landscapes, and listed buildings as key constraints in GIS mapping</p> <p>Tier 2 SEA will include some Local Authority datasets</p>

#	PPS/ guidance name	Main requirements and environmental objectives of PPS/ guidance (in relation to A96 Dualling)	How it affects or is affected by the A96 Dualling Plan/ Programme in terms of SEA Issues at Schedule 3 of the Environmental Assessment (Scotland) Act 2005
54	Scottish Historic Environment Policy (SHEP) 2011	<p>SHEP is the overarching policy statement for the historic environment. It provides a framework for more detailed strategic policies and operational policies that inform the day to day work of a range of organisations that have a role and interest in managing the historic environment.</p> <p>These include the Scottish Government, local authorities and the range of bodies that are accountable to Scottish Ministers. SHEP is intended to sit alongside and complement the Scottish Planning Policy series and other relevant Ministerial policy documents.</p>	<p>Tier 1 SEA will include scheduled monuments, battlefields, gardens and designed landscapes, and listed buildings as key constraints in GIS mapping</p> <p>Tier 2 SEA will include some Local Authority datasets</p>
55	Ancient Monuments and Archaeological Areas Act 1979	<p>An Act to consolidate and amend the law relating to ancient monuments;</p> <ul style="list-style-type: none"> - to make provision for the investigation, preservation and recording of matters of archaeological or historical interest and (in connection there with) for the regulation of operations or activities affecting such matters; - to provide for the recovery of grants under section 10 of the Town and Country Planning (Amendment) Act 1972 or under section 4 of the Historic Buildings and Ancient Monuments Act 1953 in certain circumstances; and - to provide for grants by the Secretary of State to the Architectural Heritage Fund. 	<p>Tier 1 SEA will include scheduled monuments, battlefields, gardens and designed landscapes, and listed buildings as key constraints in GIS mapping</p> <p>Tier 2 SEA will include some Local Authority datasets</p>
Key Issues (for Tier 1 SEA)			
<ol style="list-style-type: none"> 1. Identify and map historic environment constraint features, including Scheduled Monuments, Gardens and Designed Landscapes, Battlefields, Listed Buildings, Conservation Areas 2. Consider potential for direct and indirect effects on heritage assets 			
Air/ Climate			
56	Directive 2008/50/EC Air Quality Framework Directive	<p>Covers the protection of human health and the environment through the implementation of various measures to improve air quality.</p> <p>Prioritises the reduction of emissions at source.</p>	<p>'Air' as a topic is 'scoped out' of the Tier 1 SEA</p> <p>Tier 2 SEA will revisit scoping of this topic</p>

#	PPS/ guidance name	Main requirements and environmental objectives of PPS/ guidance (in relation to A96 Dualling)	How it affects or is affected by the A96 Dualling Plan/ Programme in terms of SEA Issues at Schedule 3 of the Environmental Assessment (Scotland) Act 2005
57	Local Air Quality Management - Revised Policy Guidance / Review (2010)	Explains the need for Air Quality Management Areas under the Environment Act 1995. Notes that NO ₂ and PM ₁₀ levels considerably higher at roadside than urban background. Notes that reducing congestion can benefit air quality.	'Air' as a topic is 'scoped out' of the Tier 1 SEA Tier 2 SEA will revisit scoping of this topic
58	The Air Quality Standards (Scotland) Regulations 2007	Requires air quality standards to be set in line with EU targets. Requires the Scottish Ministers to act to ensure air quality standards are met. Sets procedures for the measurement of various pollutants including PM ₁₀ and Nox	'Air' as a topic is 'scoped out' of the Tier 1 SEA Tier 2 SEA will revisit scoping of this topic
59	Climate Change (Scotland) Act 2009	Sets a framework for greenhouse gas emissions reductions in Scotland by 42 per cent by 2020, and 80 per cent by 2050. To help ensure the delivery of these targets, the Act also requires that the Scottish Ministers set annual targets, in secondary legislation, for Scottish emissions from 2010 to 2050.	'Climatic Factors' as a topic is 'scoped out' of the Tier 1 SEA As flood risk is considered the key climate related issue, Tier 2 SEA will include a route-wide Strategic Flood Risk Assessment
60	Low Carbon Scotland: The Draft Report on Proposals and Policies (2010)	Summarises the content of various proposals and policies in relation to climate change. Promotes the use of Intelligent Transport Systems to reduce emissions (for example by reducing congestion)	
61	Climate Change Adaptation Framework- Transport Sector Action Plan (2011)	Identifies potential impacts of climate change on the transport sector. Identifies the possibility of increased flooding as a key concern. Also identifies the possibility of increased occurrence of landslides and damage to road surfaces as a result of increased temperatures and precipitation.	
<u>Key Issues (for Tier 1 SEA)</u>			
These topics have been 'scoped out' from the assessment for Tier 1 SEA; related key constraint aspects are noted under 'Population and Human Health' and 'Water'			



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