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## 17/00082/CONSUL A9 (Project 5) Killiecrankie - Glen Garry

### Background to Consultation

Before setting out a response to the Environmental Statement, Perth and Kinross Heritage Trust (PKHT) would like to make the following comments regarding the consultation process of the Design Manual for Roads and Bridges (DMRB) Stage 1 to Stage 3 of the A9 Dualling Killiecrankie to Glen Garry Project.

Prior to 2015 Historic Scotland provided archaeological advice 'in house' to Transport Scotland, a fellow government agency, with respect to major road schemes and PKHT had no role in the process. In 2015, with the creation of Historic Environment Scotland (HES) the national agency responsible for the historic environment became a statutory consultee for such road schemes. As the A9 Dualling Project began prior to 2015 these changes have occurred during the consultation process, and from the outset there has been a lack of clarity regarding the roles of HES and PKHT, with HES taking the lead in providing input into cultural heritage matters, for example, HES representing cultural heritage interests at the Environmental Steering Group, to which PKHT was not invited.

As archaeological advisors to Perth and Kinross Council (PKC), PKHT has been given the opportunity to comment on the Design Guide, and, for the Killiecrankie to Glen Garry section, the Stage 2 Environmental Assessment, the draft Environmental Statement and its final version. PKHT supported the four design principles and the methodology presented in the Design Guide. This included H2 for the consideration of the impact on the Inventory Battlefield of Killiecrankie. At Stage 2, comments on the Environmental Assessment were submitted by PKHT as well as advice provided directly to Jacobs in regard to the scope and methodology for the 2015 metal detecting survey of the battlefield. Many of these comments were not acted upon, however, including concerns about whether the impact on the Inventory Battlefield had been properly assessed; in particular, as to whether widening northbound or southbound would have a common impact.

### Assessment of the Environmental Statement

PKHT has reviewed Chapter 15 Cultural Heritage of the Environmental Statement, and its associated Figures and Appendices. Where relevant and referenced by Chapter 15, a review of Chapter 3 Alternatives Considered, Chapter 4 Iterative Design Development, Chapter 13 Landscape and Chapter 14 Visual has been carried out. A site visit to the Inventory Battlefield was made in December 2017.

Whilst PKHT concurs with the majority of the assessment presented in the Environmental Statement (ES), we are concerned that the impact on the Inventory Battlefield has not been explored adequately. The information presented in the ES is not comprehensive enough to allow for PKHT to reach a conclusion as to whether widening the northbound or the southbound carriageway between ch700 and ch3890 has a similar impact as stated in Section 15.4.51 of the

ES. Further, the ES does not demonstrate how the new road infrastructure has been kept to a minimum within the Inventory Battlefield to reduce its impact.

On these grounds, PKHT raises **an objection** to the proposed scheme between Killiecrankie and Aldclune (ch700 to ch3890) as set out in the A9 Trunk Road (Killiecrankie to Glen Garry) Order 201. In order to resolve this objection and improve outcomes for heritage assets affected, four recommendations plus comments on the ES are provided below:

### **Recommendations**

- 1) An additional assessment of the Inventory Battlefield is required to establish the impact on its special qualities and key landscape characteristics and to enable an unequivocal comparison of the impact of widening the northbound or the southbound carriageway in this area. This could include topographical survey, visual impact assessment and additional metal detecting and geophysical survey. Scope should be provided for the trial investigation of significant discoveries.
- 2) An addendum to the ES is required to include the results of additional assessment and to demonstrate how the impact of road infrastructure has been kept to a minimum within the Inventory Battlefield.
- 3) A commitment to the production of a Battlefield Conservation Plan for Killiecrankie. Baseline data presented in the ES, any further assessment and subsequent archaeological work should feed into a Battlefield Conservation Plan to ensure Mitigation Item P05-CH15 is achieved in partnership with the local community, HES, the National Trust for Scotland and PKHT.
- 4) Section 15.5.17 of the ES states PKHT will carry out a curatorial role in approving for archaeological work. PKHT has not been approached by Transport Scotland regarding any agreement or arrangements to fund this work. This situation requires resolving and formalising appropriately.

### **Comments on the Environmental Statement**

#### *15.2.3 Value of Category C Listed Buildings*

PKHT continues to question the assessing of C listed buildings as of low value. At Stage 2, this was queried as C listed buildings are considered to be of a higher value than other assets in this category (e.g. modern buildings, very common archaeological sites). An example from the ES would be the Allt Andeir Bridge, a well preserved Wade Bridge that is classed as of low value yet the military road that it carries over the Allt Andeir burn is classed as of medium value.

#### *15.2.5 Lack of visual impact assessment for the Inventory Battlefield*

Chapter 14 has considered the visual impact on current settlements within the battlefield. Visual impact on the key landscape characteristics and special qualities of the battlefield has not been assessed.

#### *15.2.9 DMRB Stage 3 assessment of potential impacts on the Inventory Battlefield*

The ES states 'mitigation was developed that sought to avoid impacts altogether' but does not expand on this basic statement other than giving two short examples. If Design Principle H1 for avoidance has been followed, it would be useful to show how for each element of new road infrastructure the impact on the Inventory Battlefield has been considered.

#### *15.2.10 – 11 Limitations to the assessment*

PKHT considers the assessment of the Inventory Battlefield within the 200m study area to have had limitations that are not discussed in the ES: the lack of topographical study of battlefield terrain; the partial coverage of geophysical survey; and the inconsistency of the methodology of the metal detecting survey. It is understood that the application of DMRB in Scotland does not

afford intrusive archaeological investigation at Stage 3 however given the significance of the battlefield, and that the geophysical survey suggests the possibility of grave-pits, it is suggested there was a strong case for investigating such discoveries at Stage 3 to inform decision making.

#### *15.3.4 – 15.3.13 Assessment of value of Archaeological Remains*

There are discrepancies between the values assigned in the ES and Appendix 15.1 Cultural Heritage Baseline Information, for example, heritage asset 344 Roan Ruairrdh Redoubt is given a low value in the ES, but medium value in the summary section of the Appendix. The situation is reversed for heritage asset 346 Croftcarnoch Redoubt with a medium value given in the ES and a low value given in the summary section of the Appendix.

#### *15.3.14 / Fig 15.3 Areas of potential unknown archaeological remains*

The 200m study area on Figure 15.3 has been colour-coded as having 'high' or 'low' potential for the presence of unknown archaeological remains. This includes a blanket approach to categorising areas of woodland as of low potential, including within the Inventory Battlefield, where archaeological remains associated with the battle are likely to be present. To accurately assess archaeological potential, it is suggested the characteristics of each parcel of land are considered (e.g. topography, historic landuse, current landuse, type of archaeology that may be encountered). The ES does not present such supporting information.

#### *15.3.15 – 15.3.25 Assessment of value of Historic Buildings*

Heritage asset 484 Old Bridge over Allt Andeir is assessed as of low value. PKHT disagrees with this assessment – see comments above (15.2.3).

#### *15.3.26 – 15.3.44 Assessment of value of Battlefield of Killiecrankie*

There are six issues with this section:

- 1) The metal detecting survey identified two concentrations of finds to the north of the A9 and the ES suggests these concentrations confirms 'the documentary evidence that the main body of fighting associated with the battle took place at these locations'. However the metal detecting survey was not uniform in its approach – a number of fields within the area recognised as the core area of the battlefield were not surveyed and the methodology employed was not uniform across the areas that were surveyed. These limitations are not discussed in the ES.
- 2) Geophysical surveys were carried out in 5 parcels (fields) of the battlefield. This included the fields to the south of the A9 between at Balchroic (Parcel 3) where the archaeological geophysicist interpreted a series of pits as possible burial pits associated with the battle. This interpretation is not explored adequately in the ES with no mention of the pits as possible graves in either the ES or Appendix 15.1. As per comments under 15.2.10-11, such potentially significant discoveries should have been investigated by archaeological excavation.
- 3) The site of Roan Ruairrdh and its locality (now the site of Urrard House and steading) is recognised in the ES as likely to have seen significant close range combat. The Battlefield Inventory states there is the potential for human remains to survive within this area. The ES does not discuss the potential for discovery and disturbance of human remains and this is considered a significant omission. Further much of this area has been classed as of 'low archaeological potential' (Figure 15.3) due to its current land use.
- 4) It would be useful to have topographic survey data illustrating the terrain of the battlefield including the extent of the key landscape characteristic of the terraces of the southern slopes of Creag Eallaich. The geophysical survey report notes in passing terraces to the south of the A9 but the exact location of the terraces (both to the north and south of the A9) is not clear from the ES (e.g. they are presented with a generalised stipple on Figure 15.4). It is not clear from the ES what key landscape characteristics will be removed by the scheme proposed.
- 5) The site of Lagnabuaig (to the north of Tomb Clavers) is included in the Battlefield Inventory as a settlement that may have existed during the battle. It is not considered adequately by the ES.

- 6) There appears to be a discrepancy with assigning of values for the special qualities and the key landscape characteristics that make up the Inventory Battlefield. In section 15.4.14, the ES states special qualities and key landscape characteristics are assigned a high value yet the same sites (e.g. Assets 344 and 346 discussed above) are assigned low and medium values elsewhere in the ES.

#### *15.4 Potential Impacts - General*

Whilst in agreement with the assessment of the majority of potential impacts both during construction and operation, PKHT has concerns that the iterative design process has not fully taken the Inventory Battlefield into account. Section 4.1.4 of Chapter 4 Iterative Design Development includes 'Cultural Heritage Assets' as one of a suite of Key Environmental Constraints and certain measures are given, for example, the need for a sensitive design for the new Essangal Bridge. Yet the rationale for the location of SuDS, a layby, haulage routes, earthworks and service roads within the Inventory Battlefield is not discussed in detail with the result it is unclear as to whether PKHT's Stage 2 recommendation to keep ground breaking works to a minimum in the Inventory Battlefield has been taken into account. It is disappointing to note that the designation of the battlefield, and what this designation means, is not mentioned in Chapter 4 (e.g. compare with the weight given to the River Tay SAC designation).

The former settlement of Lagnabuaig is missing from consideration in 15.4 and Appendix 15.1.

#### *15.4.13 Potential impact on Urrard House Walled Garden (Asset 343)*

PKHT does not agree with the assessment of impact magnitude and significance on this B-listed structure. Its setting, already adversely affected by its proximity to the A9, will be further impaired.

#### *15.4.15 / 15.4.36 Potential impact on Inventory Battlefield key landscape characteristics*

The two cross-sections provided in Chapter 13 do not provide enough detail to assess impact on battlefield terrain. See point 4) above in comments relating to 15.3.26-44.

#### *15.4.24 / 15.4.45-46 Potential impact on terraces to the south of Mains of Orchil and the level ground to the south of the A9*

Contrary to the ES, the geophysical report notes terraces to the south of the A9. Lack of topographical survey to locate the key landscape characteristics means the impact on the battlefield terrain cannot be assessed. See point 4) above in comments relating to 15.3.26-44.

#### *15.4.51 Overall potential impacts on the Inventory Battlefield*

The Stage 2 Environmental Assessment and the ES have not demonstrated whether widening the northbound carriageway would have the same impact as widening the southbound carriageway. There is nothing in Chapter 3 Alternatives Considered that refers specifically to the Inventory Battlefield other than it was an environmental constraint that was 'considered'. No detail is provided on how it was considered.

#### *15.4.53 Impact on the amenity value of the Inventory Battlefield*

PKHT disagrees with the statement that the amenity value of the battlefield will not be affected. Temporary noise and visual intrusion during construction and the increased infrastructure that results from dualling, for example at Tomb Clavers, will detract from the amenity value of the battlefield.

#### *15.5.3 – 4 Embedded Mitigation*

Comments above address the lack of clarity as to how the proposed scheme has sought to avoid impact through design on the Inventory Battlefield. Further the proposals presented in this section for control of planting and opening up of views across the battlefield do not appear to be supported by Figures 13.5a-c, where replacement and new woodland is proposed e.g. to the north of Urrard Steading, to the north east of Urrard House and around the SuDS at ch1700.

#### *15.5.5 - 18 Standard and specific mitigation*

PKHT is in agreement with the standard and specific mitigation presented in the ES and notes that detailed mitigation strategies will be presented in a Written Scheme of Investigation (WSI). The ES also states the WSI will be approved by both Transport Scotland's Historic Environment Advisor **and** PKHT. It is important to note PKHT has not been approached by Transport Scotland to request we fulfil this role, and that any such request would have to be agreed by our Board of Trustees.

#### *15.5.19 Interpretation and understanding of the Inventory Battlefield*

PKHT would welcome the opportunity to increase the understanding and appreciation of the battlefield however the impact on the battlefield requires to be fully assessed in the first instance. Subsequently, and in line with the Perth and Kinross Local Development Plan Policy HE5 for the Protection, Promotion and Interpretation of Historic Battlefields, a Battlefield Conservation Plan would be an ideal vehicle for this.