

A96 Dualling Team,  
Transport Scotland,  
Buchanan House,  
58 Port Dundas Road,  
Glasgow  
G4 0HF

14<sup>th</sup> September 2018

Dear Sirs

### **A96 Dualling Hardmuir to Fochabers scheme Route options – Design update August 2018**

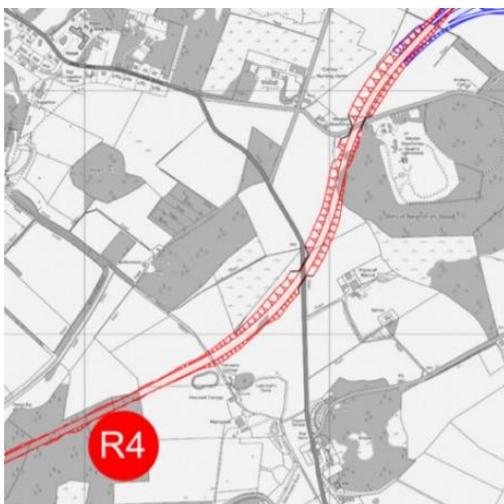
Thank you for the recent information on the route options being considered for the A96 dualling in the Forres area. The Finnerne Community Council (FCC) notes that the southern, Red, route remains under consideration and would make a number of observations and requests for further information with regard to the potential environmental, economic and community impacts of this route as set out below:

## **1 ENVIRONMENTAL IMPACTS**

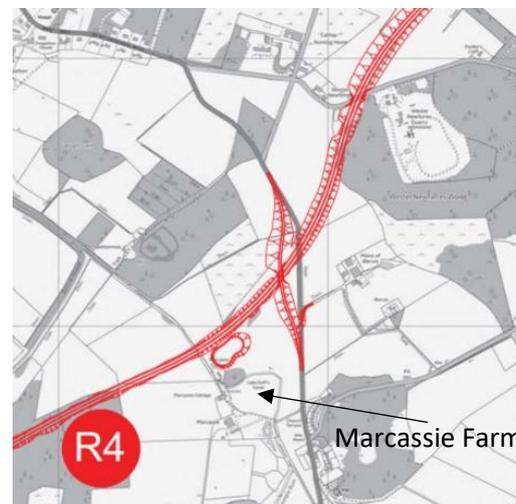
### **1.1 Landscape - Proposed crossing of the B9010**

The FCC has previously been advised by the project team that the existing B9010 Rafford to Forres road would pass under the proposed dualled A96. We are concerned to note that the revised proposals now have the B9010 being elevated via an embankment with a fly-over bridge across the A96.

The concerns that we have previously lodged with regard to the visual impact of significant embankment works across this stretch of countryside have been exacerbated by the revisions made to the proposals. The extent of embankments for both the dualled A96 and the B9010 fly-over will totally dominate the visual appearance of the area.



Previous B9010 crossing



Revised B9010 crossing

## 1.2 Woodland Removal

The woodlands of Moray and particularly of Finderne are some of our most highly valued environmental assets making a significant contribution to the local landscape, local economy (through on-going timber production), biodiversity, and general quality of life through provision of recreational facilities.

As stated by Transport Scotland “the protection and enhancement of the natural environment is an important aspect of all transport projects”. However, the “Red” route option would require significant areas of woodland and associated habitats (including those of some European Protected Species) to be permanently removed, with resultant disconnection of local woodland networks, interruption of recreational access and isolation of wildlife habitat - all of which issues are in direct conflict with the above statement.

By contrast, the “Orange” route option would not require any woodland removal.

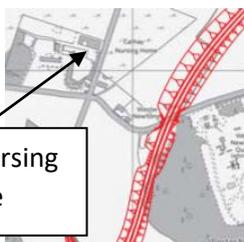
Furthermore, a guiding principle of the Scottish Government's Policy on Control of Woodland Removal (2009) (SGPCWR) is a strong presumption in favour of protecting Scotland’s woodland resource and the first consideration for all woodland removal decisions should be whether the underlying purpose of the proposals can reasonably be met **without** resorting to woodland removal. If, on balance, the requirement for such woodland removal can be adequately justified on the basis it would achieve significant and clearly defined additional public benefits, then compensatory planting that will secure at least the equivalent woodland-related net public benefit embodied in the woodland to be removed would be required.

Therefore, in light of the above, could we please be provided with a copy of the detailed information that has been, or will be, used in taking the SGPCWR into account in the decision making of the preferred route together with proposals for compensatory planting.

## 1.3 Noise mitigation

The FCC has, on several occasions, raised the concern regarding the impact of noise on the high density of domestic residences in the south-western area of Forres given the proximity of the road and the prevailing wind direction (SW). At the Community Council Forum reference above this issue was raised again given that the proposed southern route will be almost entirely on elevated embankments which will, by the very nature of the civil engineering, increase line of sight problems. The response given by the project team was that noise mitigation is a specific design aspect for the preferred route once stage 3 of the DMRB process begins.

We would again emphasise our major concern regarding noise and air quality issues that will arise from the southern route. Mitigation in the form of sound fencing along the route (see photo of recently installed fencing on the AWPR) would further add to the visual blight from the civil engineering works and the potential impact of this should be considered at DMRB stage 2 as part of the preferred route selection.



We have particular concern for the very close proximity of the southern route to the nursing home at Cathay (Grid Ref NJ 0589 5807). With the dual carriageway being at a distance of less than 250m, and on an elevated embankment, the road noise at such a sensitive receptor would be completely unacceptable.

It is understood that, whichever route is chosen, there will be an adverse impact on someone from the road noise. However, given the prevailing wind direction, it is clear that the impact of the northern route will be significantly lower.

Moreover, it can be seen from the adjacent map that any noise mitigation measures put in place to reduce the impact of A96 road noise on settlements such as Broom of Moy will actually have the beneficial result of providing mitigation of railway noise.



We have significant concerns that noise is being treated as a “*deal with later*” item, with the DMRD stage 3 being used as the excuse, and that due consideration is not being given in the preferred route selection stage.

#### 1.4 Design of junctions with existing road network

This is again an issue that the FCC has raised a number of times and the latest proposals have done nothing to alleviate our concerns. Whenever we have asked for details of what is driving the particular interchange design we have received the generalised answer that “the design is within the **Design Manual for Roads and Bridges** guidance” – a fact that we do not dispute. However, the DMRB does not state a specific type of road interchange but merely lays out the factors which should be considered when designing the junction.

We maintain our previous comments that the junctions being proposed are overly complex for the prevailing and future traffic density and would take an inordinate amount of land to construct. Using the two junctions in the Finderne area, the A940 (R4) and the existing A96 Tarras (R5) as examples, these proposals occupy circa 19 Hectares and 13 Hectares respectively. If these are compared to Junction 6 and Junction 9 on the M90 motorway, which occupy circa 7 Hectares and 10 Hectares respectively, we find it impossible to reconcile the differences.

The M90 at Perth and Kinross is a motorway and a major commuter artery. The road density of the A96 around Forres does not even currently meet the DMRB minimum guidance of 11,000 Annual Average Daily Traffic for a dual carriageway, and the level of traffic on the A940 is a mere fraction of that on the A96. Even considering the fact that the M90 was built a number of years ago the comparison between the junction designs is incomprehensible.

Can we again ask for a detailed explanation of why such large, complex, and presumably expensive, road interchanges are deemed necessary.

## 2 IMPACTS ON THE LOCAL ECONOMY AND RURAL DEVELOPMENT

### 2.1 Impact on local businesses

The proposed embanked section of the A96, and associated SUDS pond, described above (near Rafford) will have a significant negative impact on a development at Marcassie Farm (approved planning application 18/00071/APP) which has received 52% funding from the **Moray Leader** programme.

The aims of this development, as described on the Moray Leader website are:

- To provide 4-star year-round self-catering or catered accommodation with ancillary facilities for individuals and smaller groups to hire for retreats, gatherings, meetings, events or as a base for visiting Moray.
- To become the place in Scotland for creatives and innovators to meet.
- To draw out each individual's authentic, best self, the role they play, the service they offer for the greatest good of the whole.

Clearly these aims are predicated on the location being in a tranquil rural environment and the presence of an elevated dual carriageway, less than 400m from the site, will be catastrophic for the venture which would otherwise be making a significant contribution to the long-term regeneration of the Finnerne area.

## 2.2 Impacts on the local economy

There is a considerable amount of published research into the impact of "town bypasses" on the local economy of the towns involved. The generalised conclusions from this research are that a good road infrastructure is highly beneficial to a local economy but that unless the town is in close proximity too, and visible from, the bypass the impact can become severely negative.

We had expected that the findings of this type of research would be considered as part of the cost/benefit analysis section of the DMRB stage 2. It is clear that the southern route, both in terms of distance and visual opportunity, will not support passing trade for the town's small businesses as much as the northern route. We were concerned to hear, from Mr Gowans at the Community Council Forum, that the impact of the road development options on the local economy will not be taken into account.

Can you please advise exactly what economic benefit factors will be taken into account in the cost/benefit analysis of the options?

## 3 IMPACTS ON COMMUNITY AMENITIES, ACCESS AND QUALITY OF LIFE

### 3.1 Route alignment change between A940 and Manachie Road

At the Community Council Forum on 13th August the project team representatives explained that the proposed route had been re-aligned to a more southerly position in order to reduce the impact of the road on the historic monument of Dallas Dhu distillery. Whilst we accept that there would be a marginal improvement at the distillery it is clear that the route would still severely, and adversely, impact both the distillery and the Dava Way. Both the distillery and the Dava Way are important amenities which contribute to both the local community and economy and for these reasons the Community Council is very concerned regarding the impact of the proposed dual carriageway along this route.

Furthermore, the proposed realigned route also takes the road closer to the Glasgow School of Art (GSA) Campus and Loch of Blairs where there is an ongoing project to establish an outdoor learning facility (field study classrooms) for local schools and other outdoor learning providers. The GSA is a highly prized educational and cultural asset for Forres and Finnerne and together with the Loch of Blairs project both have as key elements of their choice of location an unspoilt, quiet and rural setting. The close proximity of the proposed dualled A96 will have a significant negative impact on both these educational and community facilities by severely compromising their *raison d'être*.

### 3.2 Provision for Non-motorised users

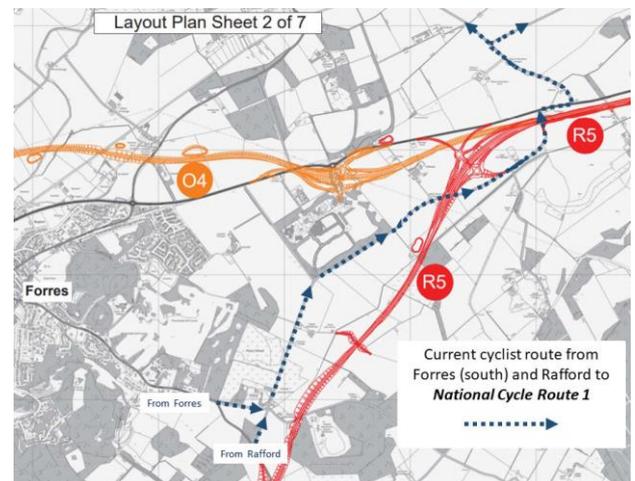
We note from the comments at the Community Council Forum that the details of provision for non-motorised users will not be considered in detail until stage 3 of the DMRB (i.e. after the preferred route is announced) but due cognisance should be taken during stage 2 of the impact on existing NMU infrastructure.

Moray generally possesses a rich network of minor roads that, in addition to National Cycle Route 1, are used by local and visiting cyclists and Phase 1 of the A96 improvements from Inverness to Nairn includes a dedicated cycleway and footpath alongside the route of the new dual carriageway.

FCC would wish to make the general statement that walking, cycling, riding and other non-motorised uses of roads in the Forres and wider Finnerne area are critically important to both community health & wellbeing and tourism. In the context of Transport Scotland's stated commitment to cycling and walking for transport and leisure FCC seeks confirmation that significant support for improvements to the infrastructure for non-motorised users will be made as part of this investment.

We have some excellent west – east cycle and footpath routes already in place in the area but would like to see an indication on the 'preferred route' plans where the proposed links between the Phase 1 provision and the existing local routes are proposed and an assurance that where necessary new sections of cycleway/footpath are incorporated to maintain a smooth and practical route for non-motorised users, particularly where existing roads interface with new junctions.

Specifically, it is of major concern to FCC that the minor road from Cathay to the existing A96 would be severed by the Red Route, just east of the track to Hillhead Farm at map ref 073 596. This is currently a route used by many cyclists from Rafford and Forres to connect to the National Cycle Route 1, Kinloss, and Burghead. The only route available would be through the Enterprise Park, and then to ride along the old A96 which will be busy with traffic from Forres to the new dual carriageway, and then negotiate a new roundabout. This route will be significantly more hazardous to cyclists.



The Orange Route has far less impact on minor roads used by cyclists and this fact should be taken into consideration as part of the stage 2 decision making process.

The Finnerne Community Council continues to support the fundamental decision to invest in the road infrastructure in the area and the positive impact that such investment might have on the local economy. We remain, however, extremely concerned that the southern route around Forres would have a significant negative environmental, local economic and community impacts on both Finnerne and the town of Forres. On Saturday 8<sup>th</sup> September the community council organised a "drop in" event at Rafford Village to help inform our constituents of the current A96 options. Over 50 people attended the event and we have received 39 feedback responses. We asked the attendees to indicate their agreement with the issues raised in this letter on a simple 1- 4 score (1 Disagree to 4 Strongly Agree).

A summary of the feedback is shown below

		<u>Agreement to FCC</u>
<u>Environmental Impacts</u>		
	Landscape and Visual	97.2%
	Woodland Removal	96.5%
	Noise mitigation	93.1%
	Design of junctions	91.0%
<u>Economic Impacts</u>		
	Local Business	84.0%
	Local Economy	86.1%
<u>Impact on Amenities</u>		
	Route Alignment Change	88.2%
	Provision for NMUs	90.3%

The feedback from the members of the Finderne community show that there is an overwhelming objection to the southern route for the proposed A96 upgrade. As stated previously, we understand that an infrastructure project such as this can not be delivered without impacting upon some section of the public. It is clear, however, that the impact of the northern route, through predominantly “brown field” land, has a far smaller impact than the southern option.

We look forward to receiving your response to the comments and questions outlined above.

Yours sincerely

For and on behalf of the Finderne Community Council



Brian Higgs  
(Chairman)