



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A889 South of Allt Breakachy Bridge

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Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out planned maintenance works at A889 South of Allt Breakachy Bridge. The works will consist of carriageway resurfacing and reinstatement of road markings for a length of 654m (approximately 0.366 ha)

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site
- Mill out old surface course
- Lay new surface course
- Roll surface and allow it to go off
- Mark out lining schedule on site
- Remove TM and open road

The works are currently programmed to be completed within the 2022/2023 financial year. However, works may be delayed into the first half of the 2023/2024 financial year (April to September 2023 inclusive). Works are expected to be completed over six nights between 19:00pm to 07:00am. Traffic management is likely to consist of lane closure and a 10mph convoy. However, if the programme changes, this may result in amendments to the exact TM requirements. Where required, alternative pedestrian routes will be included in the TM setup.

Location

The scheme is located on the A889 road, approximately 2km south of Catlodge village and is within the Highland Council area (Figure 1).

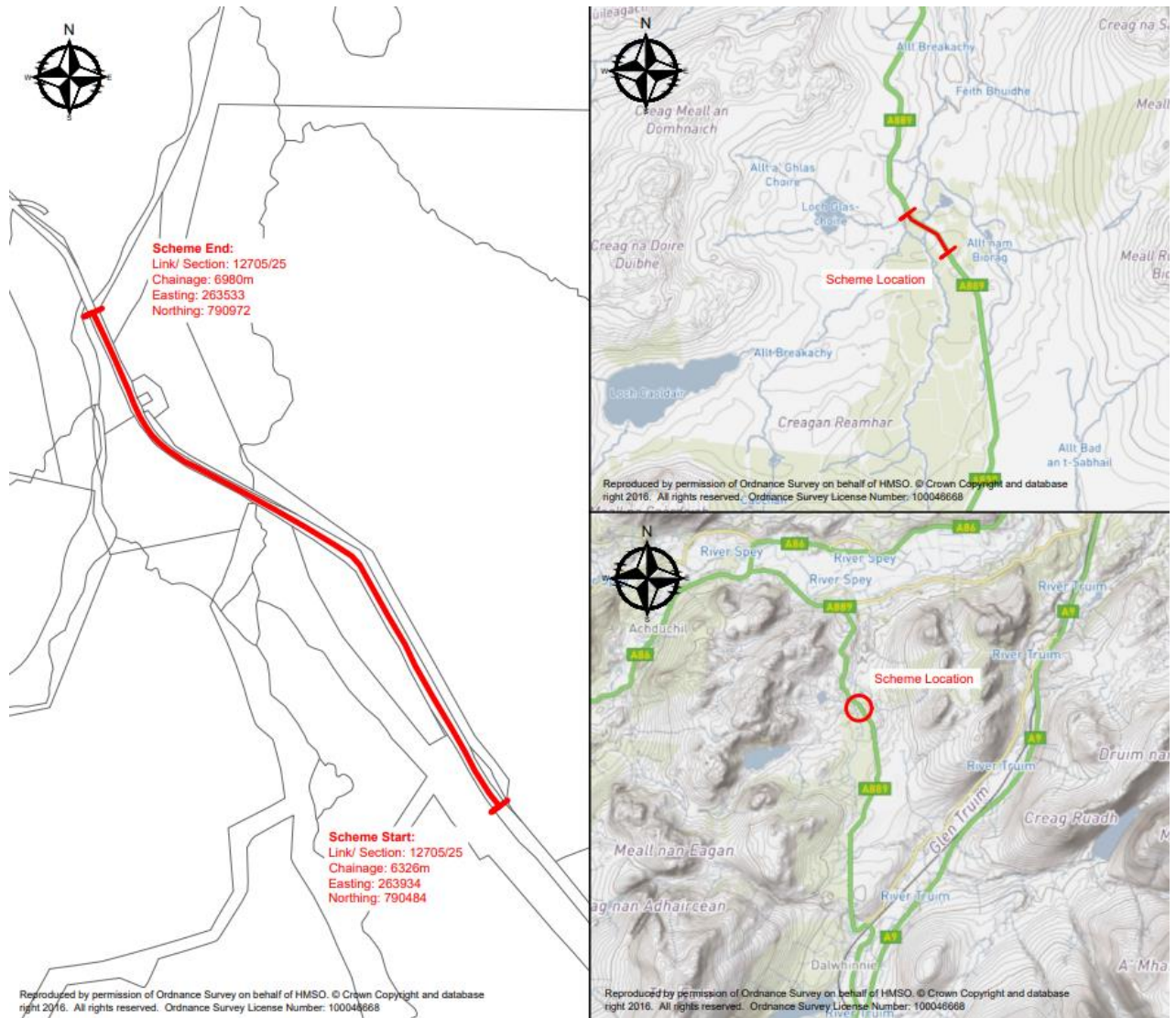


Figure 1. Location and scheme extent of the proposed resurfacing works at A889 South of Allt Breakachy Bridge.

Description of local environment

Air quality

The scheme is not located within an Air Quality Management Area (AQMA) ([Air Quality Scotland](#)) and no air quality monitoring stations are located in the vicinity of works ([Air Quality Scotland](#)).

There are no sites registered on the Scottish Pollutant Release Inventory (SPRI) ([Scotland's Environment](#)) for air pollutant releases within 1km of the scheme.

Baseline air quality at the scheme location is likely to be primarily influenced by traffic along the A889.

Cultural heritage

According to Pastmap ([PastMap](#)) there are no cultural heritage assets located within 300m of the proposed scheme.

Landscape and visual effects

The scheme is located within Cairngorms National Park ([SiteLink](#)). The National Park aims are ([Cairngorms National Park](#)):

- To conserve and enhance the natural and cultural heritage of the area;
- To promote sustainable use of the natural resources of the area;
- To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public;
- To promote sustainable economic and social development of the area's communities.

The scheme is located within Ben Alder, Laggan and Glen Banchor Local Landscape Area ([Local Landscape Areas Map](#)), which has the following key landscape and visual characteristics ([Highland Special Landscape Areas](#)):

- This complex and diverse inland area combines an intimate sequence of wooded glens estate policies and lochs surrounded by rolling moorlands that lead to knolly hills, craggy ridges and coires and mountain plateaux.
- There is a strong contrast between the glens and the upland areas. In the glens, human influence is clearly apparent, for example in the distinct pattern of fields, enclosed by policy woodlands and forest plantations, and punctuated by buildings, conversely, the mountain and moorland areas are simple in land cover and possess wildness qualities.

- Within the glens, there is a diverse landscape character within the glens. This is derived from the variety of landform, woodland, agriculture, the presence of lochs, and the location of estate cottages, castles and gatehouses.
- The variable landform means that conifer plantations generally can integrate well with some of the open hillsides above. Cascading waterfalls, small gorges, rocky outcrops and a scattering of birch trees further link the moorland areas with glen floor below. The combination of these landscape elements with baronial architecture features can appear picturesque in character.
- A series of mountain ranges orientated to a south west – north east, and comprising of rocky summits and ridges and crossed by remote high bealachs, lead to the high plateau in the south. Throughout this area, an extensive network of hill tracks and paths, primarily for estate management, penetrate through the interior. These link remote glens over long high mountain passes through an area that has a strong sense of wildness.

The Landscape Character Type (LCT) within the scheme extent is Smooth Rounded Hills - Cairngorms Local Character Type (LCT 123) ([Scottish Landscape Character Types](#)) which has the following characteristics:

- Expansive landscape of gently rounded landforms with gentle slopes and successive long, smooth interlocking spurs and ridges.
- Hill slopes lightly dissected by small burns lead to broad glens.
- Scattered small tree groups on valley floors.
- Geometric conifer forests contrasting with the gently rounded landform.
- Heather moor clad upper slopes and summits.
- Settlement is limited to occasional remote settlements and farms and some estate houses.
- Sense of openness and remoteness.

Biodiversity

The scheme is not located within and does not have connectivity with any Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Sites of Special Scientific Interest (SSSI) ([SiteLink](#)).

The National Biodiversity Network (NBN) Atlas ([NBN Atlas](#)) does not record any protected species within 2km of the scheme during the past ten years. Only records with open-use attributions (OGL and CC-BY) were included in the search criteria.

The NBN Atlas ([NBN Atlas](#)) holds no record of Invasive non-native species (INNS) or injurious weeds within or adjacent to the scheme extents.

There are no records of INNS or injurious weeds recorded on Asset Management Performance System (AMPS), Transport Scotland's record of assets on the trunk road network, within the scheme extents during the past five years.

Habitat in the surrounding area is dominated by Scots pine woodland south of the taiga and raised and blanket bogs ([Scotland's Environment](#)).

Geology and soils

The scheme does not lie within any Geological Conservation Review Site (GCRS) or Site of Special Scientific Interest (SSSI) ([SiteLink](#)).

Bedrock within the scheme extents is comprised of The Fara Psammite Formation - Psammite and micaceous psammite ([BGS](#)). Superficial deposits within the scheme extent are recorded as Hummocky (moundy) Glacial Deposits - Sand, gravel and boulders, and Alluvium - Clay, silt, sand and gravel ([BGS](#)).

The Generalised Soil Type beneath the scheme extents is Peaty podzols and the Major Soil Group beneath the scheme extents is Podzols ([Scotland's Soils](#)).

Material assets and waste

The proposed works are required to resurface the worn carriageway and reinstate road markings. Materials are anticipated to consist of:

- Asphaltic material (surface, binder and base)
- Bituminous emulsion bond coat
- Thermoplastic road marking paint

Wastes are anticipated to be planings from the carriageway surface course, which, if they do not contain coal tar, will be fully recovered for re-use in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings. The Contractor is responsible for the disposal of road planings and this has been registered in accordance with a Paragraph 13(a) waste exemption issued by SEPA, as described in Schedule 3 of the Waste Management Licensing Regulations 2011. It is not yet known if the works will encounter coal tar contaminated road surfacing.

Noise and vibration

Works are not located within a [Candidate Noise Management Area](#) (CNMA) or Candidate Quiet Area (CQA).

There is no noise modelled data available for the scheme extent ([Scotland's Noise Scotland's Environment](#)).

Population and human health

The scheme is located a rural area, approximately 2km south of Catlodge village. There is one commercial property, Raeburn Mountaineering Hut, located adjacent to the A889 within the proposed scheme extents.

There are no National Cycle Network (NCN) routes ([OS Maps](#)), walking routes listed on WalkHighlands ([WalkHighlands](#)), Core Paths ([Scotland's Environment](#)), local footpaths or other community facilities within the scheme.

The nearest traffic count point (ID: 20954) on the A889 is located approximately 670m south of the scheme ([Road traffic statistics](#)). In 2021 the number of vehicles recorded at this count point was 761, of which 74 were heavy goods vehicles.

Road drainage and the water environment

Allt Breakachy river is channelled under the proposed scheme. This river was classified by SEPA as having overall status of 'Good' in 2020 ([SEPA classification hub](#)).

The scheme falls within the 'Strathnairn, Speyside and Cairngorms' groundwater body which has been classified by SEPA in 2020 as having an overall status of 'Good' ([SEPA classification hub](#)).

Allt Breakachy has a high likelihood of river flooding (every year this area has a 10% chance of flooding) ([SEPA Flood Map](#)).

Climate

The Climate Change (Scotland) Act 2009 sets out the target and vision set by the Scottish Government for tackling and responding to climate change ([The Climate Change \(Scotland\) Act 2009](#)). The Act includes a target of reducing CO2 emissions by 80% before 2050 (from the baseline year 1990). The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to bring the target of reaching net-zero emissions in Scotland forward to 2045 ([Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#)).

The Scottish Government has since published its indicative Nationally Determined Contribution (iNDC) to set out how it will reach net-zero emissions by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030

([Scotland's contribution to the Paris Agreement: indicative Nationally Determined Contribution - gov.scot \(www.gov.scot\)](#)). By 2040, the Scottish Government is committed to reducing emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

Transport Scotland is committed to reducing carbon across Scotland's transport network and this commitment is being enacted through the Mission Zero for Transport ([Mission Zero for transport | Transport Scotland](#)). Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, Transport Scotland are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

Policies and plans

This Record of Determination has been undertaken in accordance with all relevant regulations, guidance, policies and plans, notably including the Environment and Sustainability Discipline of the Design Manual for Roads and Bridges ([Design Manual for Roads and Bridges \(DMRB\)](#)) and Transport Scotland's Environmental Impact Assessment Guidance ([Guidance - Environmental Impact Assessments for road projects \(transport.gov.scot\)](#)).

Description of main environmental impacts and proposed mitigation

Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. Activities undertaken on site may cause dust and particulate matter to be emitted to the atmosphere. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air are considered to be low.

- All plant, machinery and vehicles associated with the scheme will be maintained to the appropriate standards and will be switched off when not in use.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Material stockpiles will be reduced as much as reasonably practicable by using a 'just in time' delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials will be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.

With the above mitigation measures in place, it is anticipated that any air quality effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this Record of Determination (RoD).

Cultural heritage

The proposed works are not anticipated to have an adverse impact on cultural heritage as the works will be restricted to made ground within the A889 carriageway boundary and involve like-for-like replacement of the road surfacing material. There are no recorded features of cultural heritage within the works footprint. The following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- Should any unexpected archaeological evidence be discovered, works will stop temporarily in the vicinity and the BEAR Scotland Environment Team contacted for advice.
- People, plant, and materials will, as much as is reasonably practicable, only be present on areas of made / engineered ground. Where access outwith these areas is required for the safe and effective completion of the scheme, it will be reduced as much as is reasonably practicable and ideally be limited to access on foot. There will be no storage of vehicles, plant, or materials against any buildings, walls or fences.

With the above mitigation measures in place, it is anticipated that any cultural heritage effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Landscape and visual effects

The proposed scheme lies within Cairngorms National Park. However, as the proposed works are restricted to the A889 carriageway and consist of the like-for-like replacement of the road surface, consultation with Cairngorms National Park was not deemed necessary.

There is potential for minor, temporary visual impacts to the local landscape during the construction phase as a result of littering or obstructed views due to vehicles and machinery. However, proposed works will be restricted to A889 carriageway and land use will not change as a result of the works. In addition, the following mitigation measures will be put in place during works:

- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- The working area will be appropriately reinstated following works.
- Works will avoid encroaching on land and areas where work is not required and permission has not been granted. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape will be reinstated as much as is practicable.
- The site will be left clean and tidy following construction.

With the above mitigation measures in place, it is anticipated that any landscape and visual effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Biodiversity

During road resurfacing, activities undertaken on site could potentially have a temporary adverse impact on biodiversity in the area as a result of an increased vehicle presence and the potential for disturbance to protected species and pollution of habitats.

There are no records of INNS and injurious weeds within 2km of the proposed scheme, there are no records of these within or adjacent to the scheme extents. In addition, all works are restricted to made ground within the A889 carriageway boundary and will entail like-for-like replacement of the road surfacing material and will not include earthworks or vegetation removal. The scheme does not require permanent or temporary land-take, accommodation works, site clearance, or locally gained resources, and there is no requirement to import topsoil. As such, there is a

low risk of spreading or introducing INNS, invasive native perennials or injurious weeds.

Pollution controls will be in place to ensure there is no loss of containment to the local environment. Any protected species in the area are likely to be accustomed to road noise on the A889 and the scheme is of short duration. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Works will be strictly limited to areas required for access and resurfacing works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- No tree felling or in-stream works will be permitted.
- All construction operatives will be briefed through toolbox talks prior to works commencing. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species and/or INNS.
- Site personnel will remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species will be reported to the BEAR Scotland Environmental Team.
- If artificial lighting is required, it will be directed away from road verges, woodland, and waterbodies as far as is safe and reasonably practicable.
- A 'soft start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.
- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g. storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level will be provided, allowing free passage for mammals and preventing entrapment.

With the above mitigation measures in place, it is anticipated that any biodiversity effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Geology and soils

Although resurfacing works include milling of the existing carriageway surface, construction activities are restricted to made ground within the carriageway boundary and are not anticipated to have an adverse impact on geology and soils. With the following mitigation measures in place, the likelihood of significant impacts on geology and soils is low.

- The parking of machinery/personnel and storage of equipment on road verges will be minimised as far as is reasonably practicable.
- Upon completion of the works, any damage to the local landscape (i.e. damage to grass verges) will be reinstated as much as is practicable.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.

With the above mitigation measures in place, it is anticipated that any geology and soils effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Material assets and waste

There is potential for impacts as a result of resource depletion through use and transportation of new materials. However, materials will be sourced locally where possible and the following mitigation measures will be put in place:

- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Care will be taken to order the correct quantity of required materials to prevent the disposal of unused materials.
- Where possible, minimal packaging will be requested on required deliveries to reduce unnecessary waste and production of packaging materials.

There is potential for impacts during works as a result of the improper storage or disposal of waste. The following mitigation measures will be put in place:

- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- The subcontractor will adhere to waste management legislation and ensure they comply with their Duty of Care.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.
- Road planings which do not contain coal tar will be re-used or recycled under a SEPA Paragraph 13(a) waste exemption and in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings.
- All wastes and unused materials must be removed from site in a safe and legal manner by a licensed waste carrier upon completion of the works. The appointed waste carrier will have a valid SEPA waste carrier registration, a copy of which will be provided to and retained by BEAR Scotland as early as possible.
- All appropriate waste documentation will be present on site and be available for inspection. A copy of the Duty of Care paperwork will be provided and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).

- Re-use and recycling of waste will be encouraged and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g. waste carrier's licence, transfer notes, and waste exemption certificates).
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.
- Where applicable, all temporary signage will be removed from site on completion of the works.
- If the works encounter coal tar, then this will be appropriately processed in line with Transport Scotland's Guidance Note on Dealing with Coal Tar Bound Arisings ([Transport Scotland](#)). This will include:
 - Coal tar contaminated road planings will be classified as a special waste.
 - All waste will be appropriately segregated, with coal tar contaminated planings being kept separate from uncontaminated planings.
 - Coal tar contaminated road planings will be transported by a registered waste carrier and be accompanied by a SEPA-issued consignment note. SEPA will be notified, at least 72 hours before and no longer than one month before, prior to special waste leaving site. The waste will be sent to a suitably licenced facility. Copies of consignment notes will be retained for a period of three years.
 - Waste will be transported in a safe and secure manner to prevent the release of contaminated material en-route.

With the above mitigation measures in place, it is anticipated that any material assets and waste effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Noise and vibration

Construction activities associated with the proposed scheme have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works will take place during night time hours. However, with the short term nature of the scheme and with mitigation measures in place, the proposed scheme is anticipated to result in temporary minor adverse noise impacts. The following mitigation measures will be put in place:

- The Best Practice Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum.
- For any night works, the Environmental Health Officer (EHO) and local residents will be notified of works and provided with a 24-hour contact number for the BEAR Scotland Control Room.

- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- For any night works within 300m of residential properties, the noisiest works will be programmed to be completed before 23:00 each night where possible.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.
- All plant, machinery and vehicles will be switched off when not in use.
- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms should be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

With the above mitigation measures in place, it is anticipated that any noise and vibration effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Population and human health

During construction, activities undertaken on site may have temporary adverse impacts on local residents, vehicle travellers, and non-motorised road users (NMUs) as a result of vehicle noise and delays due to traffic management measures. Road users will be informed of works through a media release, which will provide details of construction dates and times. The works will be of short duration and will move progressively along the full scheme extent. With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- Any changes of schedule (e.g. change from daytime works to night works) will be communicated to local residents throughout the programme.
- Appropriate provisions / measures will be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- Journey planning information will be available for drivers online at the traffic scotland website. Journey planning information will also be available for drivers online through BEAR's social media platforms.
- Local access to properties within the scheme extents will be maintained during construction.

With the above mitigation measures in place, it is anticipated that any population and human health effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Road drainage and the water environment

During resurfacing works, there is potential for temporary impacts on the water environment. Potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain) during works have the potential to have a direct or indirect effect on the surrounding waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- The scheme will not entail any in-stream works.
- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works in or near water will be detailed in the Site Environmental Management Plan (SEMP) and adhered to on site.
- No discharges into any watercourses or drainage systems will be permitted. Appropriate containment measures will be in place to prevent any loss of construction materials into the water environment.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills will be logged and reported. In the event of any spills into the water environment, all works will stop and the incident reported to the project manager and the BEAR Scotland Environmental Team. SEPA will be informed of any such incident as soon as possible using the SEPA Pollution Hotline.
- All plant and equipment will be regularly inspected for any signs of damage and leaks. A checklist will be present to make sure that the checks have been carried out.
- Storage of hazardous material, oil and fuel containers will be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers will be stored on an impermeable area and be fully bunded. This will be distanced more than 10m from any watercourses.
- During refuelling of smaller mobile plant, a funnel will be used, and drip trays in place. Care will be taken to reduce the chance of spillages. Spill kits will be quickly accessible to capture any spills should they occur. The ground / stone around the site of a spill will be removed, double bagged and taken off site as special waste.
- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded then drip trays will also be supplied beneath the equipment with a capacity of 110%.

With the above mitigation measures in place, it is anticipated that any road drainage and the water environment effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Climate

Construction activities associated with the proposed scheme works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. The following mitigation measures will be put in place:

- BEAR Scotland will adhere to their Carbon Management Policy.
- Where possible, the works will be undertaken utilising a daytime work pattern to reduce the requirement for additional lighting.
- Local contractors and suppliers will be used as far as practicable to reduce fuel use and greenhouse gas emitted as part of the works.
- Where possible, materials will be sourced locally to reduce greenhouse gas emissions associated with materials movement, and waste will be disposed at local landfill.
- BEAR Scotland participate in BREEAM.

With the above mitigation measures in place, it is anticipated that any climate effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this RoD.

Major Accidents and Disasters

Allt Breakachy which is located within the scheme extents has a high risk (10% chance in any year) of river flooding.

Works are restricted to the made ground of A889 carriageway and any traffic management will be designed in line with existing guidance. The proposed works are anticipated to last 6 nights and are anticipated to be undertaken during night time hours. Traffic management will most likely consist of lane closure 10 mph convoy past works. Where required, alternative pedestrian routes will be included in the traffic management setup, to minimise impact of the works on NMUs.

These measures, along with mitigation measures and standard working practices, will be detailed in the SEMP and adhered to on site. The vulnerability of the project to risks of major accidents and disasters is considered to be low

Assessment cumulative effects

The proposed works are not anticipated to result in significant environmental effects. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity. In addition, a search of the Highland Council Planning Portal ([Map Search](#)) confirmed that there are no planning applications within 300m of the scheme. Overall, it is unlikely that the proposed works will have a significant cumulative effect with any other future works in the area.

BEAR Scotland programme all of their proposed works in line with appropriate guidance and contractual requirements. All schemes are programmed to take into account existing and future planned works, with a view of limiting any cumulative effects relating to traffic management. As a result of this exercise, where a potential for cumulative impacts is identified, BEAR will reprogramme schemes to avoid / limit any cumulative effects or will utilise existing traffic management to complete multiple schemes at once. This approach allows BEAR Scotland to effectively manage the potential cumulative effects as a result of traffic management, resulting in minimal disruption to users of the Scottish trunk road network.

Assessments of the environmental effects

As detailed in the Description of Main Environmental Impacts and Proposed Mitigation section, there are no significant effects anticipated on any environmental receptors as a result of the proposed works.

Statement of case in support of a Determination that a statutory EIA is not required

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) are situated in whole or in part in Cairngorms National Park, which is a sensitive area within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, reference to consultations undertaken and review of available information has not identified the need for a statutory EIA.

The project will not have significant effects on the environment by virtue of factors such as:

Characteristics of the scheme:

- The total working area is less than 1 ha.
- The works will be temporary and localised.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- No in-combination effects have been identified.
- The risk of major accidents or disasters is considered to be low.

Location of the scheme:

- Although the works lie within the Cairngorms National Park, due the nature and short duration of the works, the proposed scheme will not result in significant effects on this sensitive area.

- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.

Characteristics of potential impacts of the scheme:

- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- The SEMP will include plans to address environmental incidents.
- No impacts on the environment are expected during the operational phase as a result of works.
- Mitigation measures detailed above and in the SEMP are put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.

Annex A

“sensitive area” means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.



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Published by Transport Scotland, February 2023

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