



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A96 Tavelty Southbound

Contents

Project Details 4

 Description..... 4

 Location 5

Description of local environment..... 6

 Air quality 6

 Cultural heritage 6

 Landscape and visual effects 7

 Biodiversity 7

 Geology and soils 8

 Material assets and waste 9

 Noise and vibration 10

 Population and human health 10

 Road drainage and the water environment..... 11

 Climate 12

Policies and Plans..... 13

Description of main environmental impacts and proposed mitigation 14

 Air quality 14

 Impacts..... 14

 Mitigation..... 14

 Cultural heritage 15

 Impacts..... 15

 Mitigation..... 15

 Biodiversity 15

 Impacts..... 15

 Mitigation..... 16

 Material assets and waste..... 16

 Impacts..... 16

 Mitigation..... 17

 Noise and vibration 18

 Impacts..... 18

 Mitigation..... 18

 Population and human health 18

 Impacts..... 18

 Mitigation..... 19

Road drainage and the water environment.....	19
Impacts.....	19
Mitigation.....	20
Climate	21
Mitigation.....	21
Vulnerability of the project to risks	21
Assessment cumulative effects.....	21
Assessments of the environmental effects	22
Statement of case in support of a Determination that a statutory EIA is not required.....	22
References of supporting documentation	23
Annex A.....	24

Project Details

Description

The works are required to maintain the safety and integrity of a stretch of the A96 carriageway (southbound) near Kintore, Aberdeenshire. The carriageway requires resurfacing as it is presenting signs of failure of the road surface within scheme extents. Addressing these defects will provide an extended pavement life and will improve road safety and ride quality.

Construction activities will involve the implementation of traffic management (TM) and the following construction activities:

- Milling carriageway to agreed depths;
- Crack and seat treatment;
- Resurfacing of the carriageway to existing road levels using TS2010 10mm aggregate (Site Class 1, Site Class 3), AC20 binder, AC32 base & AC20 EME2 base/binder. With warm mix binder used where possible;
- Reinstatement of road markings, linings and studs;
- Drainage filter replacement; and,
- Removal of TM.

These works will require the following materials and plant/machinery/vehicles:

- Planer;
- Paver;
- Roller(s);
- JCBs;
- Bituminous surfacing maters (TS20120 aggregate, binder/base);
- Road marking materials and studs;
- Drainage filter material;
- Vehicle fuel;
- Oil; and,
- Lubricant.

The proposed construction is programmed to be completed within the 2023/2024 financial year (April 2023 to March 2024) for the duration of approximately ten days

during night-time hours. TM for the scheme will consist of a 24-hour contraflow system with the area of works estimated to be 13,000m², along a section of approximately 1.67km of the A96 carriageway.

Location

The scheme is located within an urban section of the A96 carriageway southbound (SB), south of Tavelty, and north of Kintore, Aberdeenshire, at the following National Grid References (NGRs) (Figure 1):

- Scheme Start: NJ 78696 17427
- Scheme End: NJ 78723 16677



Figure 1: Scheme Location.

Description of local environment

Air quality

The scheme is within a largely urban section of the A96 carriageway between Tavelty and Kintore, Aberdeenshire, with over 200 residential properties located within 300m, the closest of which is approximately 12m east of the carriageway (NJ 78688 16488). Kintore train station is located within 300m of scheme extents, approximately 115m east

With regards to potential sources of air pollution, the main contributors surrounding scheme extents is generated from traffic along the A96, surrounding roads and agricultural activities. Aberdeenshire Council has not declared any [Air Quality Management Areas](#) (AQMAs).

In 2022, this section of the A96 (count point 50784) had an [Annual Average Daily Flow](#) (AADF) of 25,148 total vehicles, with 1,128 of these being Heavy Goods Vehicles (HGVs).

There are no registered sites on the [Scottish Pollutant Release Inventory](#) (SPRI) within 1km of scheme extents.

Cultural heritage

A desktop study using the [PastMap](#) resource has identified the following designated features of cultural significance within 300m:

- Listed Buildings:
 - North Street, Bridgend Including Steading, Ancillary Building, Summer House, and Boundary Walls (Ref: LB49868) approximately 135m east; and,
 - Hangar, Cairnhill, near Kintore (Ref: LB13470) approximately 220m northwest.

This resource further identified 17 undesignated features of cultural heritage significance within 200m. These features are Historic Environment Records (HERs), with four located within scheme extents:

- Tavelty (Ref: NJ71NE0086);
- Kintore Bypass (Ref: NJ71NE0146);
- Goose Croft, Kintore (Ref: NJ71NE0075); and,
- Deers Den (Ref: NJ71NE0055).

Landscape and visual effects

The surrounding landscape according to the [HLA Map](#) has been classified as urban, smallholdings, rectilinear fields and farms, cemetery, rough grazing and opencast site, with the scheme occurring within land classified as motorway and major roads.

[NatureScot's Landscape Character Type](#) mapping resource has indicated the landscape character present within, and surrounding scheme extents to be 'Wooded Estates – Aberdeenshire.' This landscape consists largely of gently rounded low hills and broad valleys, with dense woodland, and in recent years significant housing development extending across the network of main roads, including the A96 within scheme extents.

There are no areas of ancient, or long-established woodland classified by Scotland's [Ancient Woodland Inventory](#) (AWI) within 2km of proposed scheme extents, with the closest located just beyond 2km west of the scheme.

A desktop study using [PastMap](#) online interactive map has not identified any areas designated for their landscape quality, including garden and designated landscapes within 1km of scheme extents.

Views of, and from the carriageway will be temporarily affected during construction due to the presence of works, TM and plant, however, as the works are minor and operating on a like-for-like basis, no permanent changes to landscape features are predicted. As such, impact to local landscape has been scoped out of requiring further assessment.

Biodiversity

A desktop study using [Nature Scot's SiteLink](#) resource did not identify any designated European sites or national designations within 2km of the proposed scheme extents.

There are no areas of woodland classified under the [AWI](#) within 2km of proposed scheme extents, with the closest located just beyond 2km west of the scheme.

A desktop study using [NBN Atlas](#) has not identified any Invasive Non-Native Species (INNS) within the proposed scheme extents, however, occurrences of Japanese knotweed (*Fallopia japonica*); Giant hogweed (*Heracleum mantegazzianum*); Himalayan balsam (*Impatiens glandulifera*) are identified within 1km. The Amey E&S NE NMC INNS Map and AMPS has not identified the presence of INNS within (or

within 1km) of the scheme extents however, the target species of Rosebay willowherb (*Chamerion angustifolium*) is recorded within the grass verge of the northern extent of the scheme (NJ 78372 17864).

The scheme and surrounding landscape have been reviewed by a senior ecologist utilising desktop resources. The works are of a transient nature and contained within the existing carriageway boundary, as such a site visit was scoped out.

Geology and soils

The [National Soil Map of Scotland](#) identified the local major soil group to be podzols, with the generalised soil type consisting of mineral podzols.

A desktop study using the [British Geological Survey Map](#) has identified the local geology types as:

Bedrock geology:

- Kemnay Pluton - Granite, foliated-muscovite-biotite. Igneous bedrock formed between 485.4 and 443.8 million years ago during the Ordovician period.

Superficial deposits:

- Glaciofluvial Sheet Deposits - Gravel, sand and silt. Sedimentary superficial deposit formed between 2.588 million years ago and the present during the Quaternary period.
- River Terrace Deposits - Gravel, sand, silt and clay. Sedimentary superficial deposit formed between 2.588 million years ago and the present during the Quaternary period.

The scheme is not located within, nor has connectivity to any surrounding Geological Conservation Review Site (GCRS), Sites of Special Scientific Interest (SSSIs) or Local Geodiversity Sites (LGS) as found using the [NatureScot Sitelink](#) resource.

As the works will be restricted to the existing carriageway boundary and previously engineered layers, it has been determined that the project does not carry the potential to cause direct or indirect impact to geology or soils. As such, no significant impacts are anticipated, and geology and soils has been scoped out of requiring further assessment.

Material assets and waste

Key Materials Required for Activities		
Activity	Material Required	Origin/ Content
Site Construction	<ul style="list-style-type: none"> • Bituminous surfacing materials (TS20120 aggregate, binder/base); • Road marking materials and studs; • Filter stone drainage material; • Vehicle fuel; • Oil; and • Lubricant. 	<p>A proportion of reclaimed asphalt pavement (RAP) is used in asphalt production. Typical RAP values for base and binder are 10% -15% with up to 10% in surface course.</p> <p>TS2010 surface course allows a wider array of aggregate sources to be considered when compared to typical Stone Mastic Asphalt (SMA). As a result, the use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources.</p>

Key Waste Arising from Activities		
Activity	Waste Arising	Disposal/ Regulation
Site Construction	<ul style="list-style-type: none"> • Road planings; and, • Removed filter stone. 	<p>Uncontaminated road planings generated as a result of the required works will be fully recycled in accordance with the criteria stipulated within SEPA document</p>

Key Waste Arising from Activities		
		<p>‘Guidance on the Protection of Fully Recoverable Asphalt Road Planings’.</p> <p>Following on-site coring investigations and testing, no coal-tar was identified within the surfacing of the carriageway within the scheme extent.</p>

A Site Waste Management Plan (SWMP) is not required.

Noise and vibration

This section of the A96 carriageway is not designated as a [Candidate Noise Management Area \(CNMA\)](#) as defined by the Transportation Noise Action Plan, Road Maps.

[Scotland’s Noise Map](#) has indicated modelled day-time noise levels (Lden) around the proposed scheme extents range from 70-75dB within 6m of the carriageway boundary, to 65-70dB between approximately 6-20m from the A96 boundary. Modelled night-time levels (Lden) show levels of 60-65dB on the carriageway and up to 6m from its boundary, with properties lining the carriageway anticipated to be more likely impacted by construction noise and vibrations.

Baseline noise levels are likely to be influenced by a mixture of vehicle traffic from the A96 carriageway, residential areas and agricultural activities. More than 200 properties are present within 300m of the proposed scheme extents, the closest approximately 12m east of the A96 carriageway at NJ 78688 16488. With regard to non-residential noise sensitive receptors, a recreational play area within Kintore and Kintore train station are within proximity of the scheme, approximately 270m and 100m respectively.

In 2022, this section of the A96 (count point 50784) had an [AADF](#) of 25,148 total vehicles, with 1,128 of these being HGVs.

Population and human health

The proposed scheme is located within a largely urban section of the A96 carriageway, between Tavelty and Kintore, Aberdeenshire.

This section of the carriageway is not street-lit, and no laybys, crossovers, pedestrian footways or bus stops exist within scheme extents. Aberdeenshire Council [Core Path](#) 408.06 runs above, and across scheme extents via the Forest Road overpass. There are [no National Cycle Routes](#) (NCRs) are present within 500m.

Over 300 residential properties are located within 500m of scheme extents, the majority within the town of Kintore, and the closest approximately 12m east of the A96 carriageway (NJ 78688 16488). These properties are screened from the carriageway by semi-mature vegetation and scrub, however, during winter months this vegetation screening is reduced. Kintore contains a recreational play area (approximately 270m southeast); Kintore Medical Centre (approximately 420m southeast); Kintore train station (approximately 100m east); and other local amenities such as a post office and shopping facilities within proximity to the scheme.

The A96 Tavelty Junction to B987 Northern Road is present as an off-slip at the scheme's northern extent, and the A96 Tavelty Junction on-slip road is present at the scheme's southernmost section. No other access roads or field access points are present within the proposed scheme extents. Forest Road passes over the A96 within the proposed scheme extents via an overbridge.

Road drainage and the water environment

[SEPA's Water Classification Hub](#) has identified the River Don (Site ID: 23269) classified under the Water Framework Directive (WFD) approximately 470m east of the A96 carriageway. This watercourse is classified as having 'good ecological potential.' Three unclassified watercourses are identified within 500m: Bridgealehouse Burn (approximately 30m west); Loch Burn (approximately 20m east); and Back Hillock Pond (approximately 400m west). Various field drains and sinks are also identified within 500m of scheme extents.

[SEPA's Flood Mapping resource](#) has not identified any areas at risk of flooding within scheme extents on the SB carriageway, however, areas on the northbound (NB) carriageway at the extreme southern section and extend beyond the southmost point have an annual 'high likelihood' (10%) chance of surface water flooding. The Bridgealehouse Burn is at a 'high' (10%) chance of flooding each year, similarly to the River Don that has a medium-high (0.5-10%) chance of flooding each year.

Drainage within the scheme is provided by side-entry gullies and largely by filter drainage, with replacement of the filter drain material along the central reserve part of the proposed works.

The scheme has been identified as falling within the [Scottish Government's defined Nitrate Vulnerable Zones](#), which includes the areas of Aberdeenshire, Banff, Buchan and Moray.

Climate

Carbon Goals

The Climate Change (Scotland) Act sets out the target and vision set by the Scottish Government for tackling and responding to climate change. The Act initially included a target of reducing CO₂ emissions by 80% before 2050 (from the baseline year 1990).

The Scottish Government has since published its indicative Nationally Determined Contribution (NDC) to set out how it will instead reach net-zero by 2045, working to reduce emissions of all major greenhouse gases (GHG) by at least 75% by 2030. By 2040, the Scottish Government is committed to reduce 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, this commitment is being enacted through the [Mission Zero for Transport](#). Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, TS are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

Amey's Company Wide Carbon Goal is to achieve Scope 1 and 2 net-zero carbon emissions, with a minimum of 80% absolute reduction on our emissions by 2035. Amey is aiming to be fully net-zero, including Scope 3 emissions, by 2040.

Amey are working towards a contractual commitment to have carbon neutral depots on the NE NMC network by 2028. Amey have set carbon goals for the NE NMC contract as a whole to be net-zero carbon by 2032.

Monitoring, Management and Opportunities

To support our journey towards carbon neutral and zero waste we include potential opportunities for enhancement utilising circular economy principals within assessment of material assets.

Amey (working on behalf of Transport Scotland) undertake carbon monitoring. Emissions from our activities are recorded using Transport Scotland's Carbon Management System.

Further information identifying how Amey will obtain the above Carbon Goals can be viewed within the Carbon Management and Sustainability Plan Roadmap to net-zero: STRNMC – North East.

Policies and Plans

This Record of Determination (RoD) has been undertaken in accordance with Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017 (RSA EIA Regulations) along with Transport Scotland's Environmental Impact Assessment Guidance ([Guidance – Environmental Impact Assessments for road projects \(transport.gov.scot\)](#)). Relevant guidance, policies and plans accompanied with the Design Manual for Roads and Bridges ([Design Manual for Roads and Bridges \(DMRB\)](#)) LA 101 and LA 104 were used to form this assessment.

Description of main environmental impacts and proposed mitigation

Air quality

Impacts

- On site construction activities carry a potential to produce airborne particulate matter, dust and generate emissions that may have a temporary impact on local air quality levels.
- TM being implemented during the proposed scheme may result in an increase in associated vehicle emissions through idling vehicles and increased congestion.

Mitigation

- The following best practice as outlined in the [Guidance on the assessment of dust from demolition and construction \(2023\)](#) published by the Institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:
 - All vehicles will switch off engines when stationary; there will be no idling vehicles.
 - Drop heights to haulage vehicles and onto conveyors will be minimised where practicable.
 - Planing operations will be wetted to reduce dust arising.
- All plant and fuel-requiring equipment utilised during construction will be well maintained to minimise emissions.
- Lorries will be sheeted when carrying dry materials.
- Surfaces will be swept where loose material remains following planing.

With mitigation measures in place, no lasting impacts are predicted on air quality and therefore, in accordance with DMRB Guidance document LA 105: Air Quality no further assessment is required.

Cultural heritage

Impacts

- Works are like for like in nature and will be contained within the carriageway boundary, therefore not detrimentally affecting the undesignated HERs or Listed Buildings outlined above.
- Resurfacing will be contained within already engineered layers and will not entail new excavations and/or works outwith the carriageway boundary.

Mitigation

- Should the nature of the works change, or additional excavation works be required, Amey's Sustainability Solutions Team will be contacted prior to works commencing.
- In the event any materials of archaeological interest are discovered (i.e., discoloured soils or material finds such as ceramics or bone) works will cease and Amey's Sustainability Solutions Team will be contacted.
- All site operatives will be informed of the locations of the cultural heritage assets within scheme extents, prior to works commencing through a site induction and briefing.
- Works and storage of plant/machinery/vehicles will be contained within the carriageway boundary at all times throughout the scheme.

No significant effects are predicted on cultural heritage. Therefore, in accordance with DMRB Guidance document LA 106: Cultural Heritage no further assessment is required.

Biodiversity

Impacts

- There is potential for protected species to be active within the scheme or surrounding area which may be disturbed by the works.
- Due to night-time programming, misdirected construction site lighting and noise-heavy works may cause temporary disturbance to surrounding nocturnal species. There is potential for works, if uncontrolled, to spread INNS, however, as all occurrences of INNS are outwith carriageway extents and the works are restricted to the carriageway boundary the risk of spreading INNS is low.
- There is potential for INNS to harm site operatives if contact is made with species, in particular giant hogweed.

Mitigation

- In the event a protected species is seen, the animal will not be approached and the works will be temporarily suspended and isolated until the animal has moved on.
- Any sightings of protected species will be reported to Amey's Sustainability Solutions Team, and they will be contacted for any necessary guidance. The control room will be contacted for environmental record.
- If the scope of the work changes and vegetation removal is required, Amey's Sustainability Solutions Team will be notified prior to any works.
- A toolbox talk for protected species will be delivered to site staff prior to works commencing.
- Amey's environmental briefing on invasive plants will be delivered to operatives prior to the start of construction.
- Site operatives will not cut, treat, or remove INNS species if they are encountered on site, instead the works will be suspended and Amey's environmental team notified.
- All temporary lighting will be directional and aimed away from sensitive ecological receptors i.e., grass verges and trees on the near side lane to minimise disturbance to nocturnal species.
- All works and storage of plant, machinery, vehicles and equipment will be restricted to the carriageway boundaries, with no works or storage undertaken on the grass verges.
- Please refer to the below Noise and Vibration section for additional noise mitigation.
- Please refer to the below Road and Drainage and the Water Environment section for additional pollution control mitigation.
- If works are likely to encounter rosebay willowherb, the landscaping team will be consulted for advice.

With mitigation measures in place, no significant effects are predicted on biodiversity. The scope of works and the potential significance of effects does not warrant any further assessment as the Scheme does not meet the criteria as set out in the DMRB LA108: Biodiversity.

Material assets and waste

Impacts

- The design life for the TS2010 surfacing proposed is estimated to be 20 years. This will reduce the requirement for maintenance to this section of road over this period.

- Crack and Seal treatment is a sustainable technique as it utilises original pavement material, thus a recycled source that reduces the amount of virgin surface course materials and reduces material sent to landfill.
- The works will result in contribution to resource depletion through use of virgin materials.
- Greenhouse gas emissions will be generated by material production and transportation to and from site.
- Transportation and recovery of materials/waste will require energy deriving from fossil fuel, a non-renewable source.

Mitigation

- Materials will be derived from recycled, secondary, or re-used origin as far as practicable within the design specifications to reduce natural resource depletion and associated emissions.
- It is Amey policy to reuse or recycle as much waste material as possible. Where recycling is not feasible, waste material will be removed to a licenced waste facility.
- All materials that can be, should be reused throughout the network.
- Any excess excavated material and filter stones can potentially be used for future schemes, reducing the amount of waste taken to landfill.
- Where possible, different waste streams will be separated at the source.
- Waste will be stored in suitable containers and covered.
- All waste must be transport by suitable licenced contractor and must be accompanied by correctly completed waste transfer note (WTN).
- Waste must only be disposed of at suitably licenced waste management site.
- Following on-site coring investigations and testing, no coal-tar was identified within the surfacing of the carriageway within the scheme extent. As such, road planings generated as a result of the works will be recovered in accordance with the criteria stipulated within SEPA document [‘Guidance on the Production of Fully Recoverable Asphalt Road Planings’](#) where possible.

With best practice mitigation measures in place, no significant effects are predicted Material Assets and Waste. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and vibration

Impacts

- TS2010 road surfacing is shown to have superior durability and noise reducing features compared to standard road surfacing mixes. Vehicle travellers and nearby residential properties will benefit from improved road surfacing as a result of the scheme.
- Noise heavy works will be required during night-time hours, which could cause disturbance for nearby sensitive receptors.

Mitigation

- Plant/machinery will be fitted with silencers/mufflers.
- No plant, vehicles or machinery will be left idling when not in use.
- Rubber linings, for example, will be used in chutes and dumpers to reduce impact noise.
- Noisiest works will be undertaken before 23:00 to minimise disturbance.
- A soft start to the works will be enforced whereby plant/machinery is turned on sequentially as opposed to simultaneously.
- Amey's environmental briefing on noise and vibration will be delivered to operatives prior to the start of construction.
- The Amey Sustainability Solutions Team has contacted Aberdeenshire Council's Environmental Health Team to notify of the works due to the night-time programming, with properties within 300m notified via letter drop prior to works commencing.

With best practice mitigation measures in place, no significant effects are predicted for noise and vibration. Therefore, in accordance with DMBR Guidance document LA 111: Noise and Vibration no further assessment is required.

Population and human health

Impacts

- Construction site lighting during night-time hours may cause disturbance for residential properties in close proximity, and for nearby amenity users.
- TM for the works will involve a 24-hour contraflow system which may result in increased journey times for local communities travelling within, and surrounding scheme extents.

- Aberdeenshire Council Core Path 408.06 will be unaffected by the proposed scheme as it is located above on the Forest Road overpass. The works will be contained within the carriageway boundary and will not affect access, egress and the general use of this pathway.
- There will be no impact on land take from private land and/or community facilities due to the proposed scheme as all works will be contained within the carriageway boundary.
- The B987-A96 on-slip and the A96-B977 off-slip are likely to be impacted by the proposed scheme. The proposed TM will likely partially, temporarily block access/egress to these slip roads, thus causing congestion.

Mitigation

- The Amey Sustainability Solutions Team has contacted Aberdeenshire Council's Environmental Health Team to notify of the works due to the night-time programming, with properties within 300m notified via letter drop prior to works commencing.
- Road closures and restrictions will be publicised within the local area informing vehicular users of upcoming works to minimise disturbance to those travelling along this section of the carriageway.
- Lane closures and access/egress alterations to the B987-A86 on-slip and the A96-B977 off-slip will be advertised upon approach.
- When in place, TM will be monitored to ensure it is effectively managing traffic flow.
- With best practice mitigation measures in place, no significant effects on population and human health are predicted. Therefore, in accordance with DMRB Guidance document LA 112: Population and Human Health, no further assessment is required.

Road drainage and the water environment

Impacts

- If not adequately controlled, debris and runoff from the works could enter surrounding river and surface water environments.
- In the event of a flooding incident, there is an increased risk for the debris and fine sediment to be mobilised and enter the road drainage system, thus having a detrimental effect on the surrounding local water environment (particularly the River Don, Bridgealehouse Burn and Loch Burn).
- There is potential for spills, leaks or seepage of fuels and oils associated with plant to escape and reach drainage systems and watercourses if not controlled, which may negatively affect the surrounding water environment (particularly the River Don, Bridgealehouse Burn and Loch Burn).

- Should flooding occur, this may delay the scheduled works.

Mitigation

- All debris with potential to be suspended in surface water and wash into the local water environment will be cleaned from the site both during and following the works.
- Debris and dust generated as a result of the works will be prevented from entering the drainage system, through the use of drain covers or similar.
- Appropriate measures (dust suppression, screens or other suitable measures) will be implemented onsite during the works to prevent any potential pollution to the surrounding water environment (e.g., debris, dust and hazardous substances). This will include spill kits present on site at times and the use of funnel and drip trays when transferring fuel.
- The control room will be contacted if any pollution incidents occur (24 hours, 7 days a week).
- Visual pollution inspections of the working area will be conducted frequently, especially during heavy rainfall and wind.
- All operatives working on site will be informed of the location of the surrounding watercourses (River Don, Bridgealehouse Burn, Loch Burn and Black Hillock Pond) prior to works commencing, through a site induction and briefing
- Weather reports will be monitored prior and during all construction activities. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and runoff/drainage can be adequately controlled to prevent pollution.
- All storage of materials/fuel and any refuelling activities will be more than 10m away from any identified connectivity (including road drainage) to surrounding watercourses at all times and placed on a hardstanding surface.
- Spill kits will be kept for rapid deployment on the worksite wherever fuel or oil or machinery is present.
- All operatives will be briefed on SEPA's GPP documents (namely, GPP 1, GPP 2, GPP 5, PPG 6, GPP 8 and GPP 22).
- All oils and fuels will be returned to storage area after use.
- Storage areas will be located away from areas that see high vehicular movement to prevent accidental damage.
- Bunds will be provided around drums up to 205 litres with a buffer of 25% of their capacity.
- Bunds will be provided around bulk storage to a capacity of 110% of the stored fuel/oil.
- Amey's environmental briefing on water pollution prevention will be delivered to operatives prior to construction.

Providing all works operate in accordance with current best practice, as demonstrated by SEPA's GPPs, no significant effects are predicted on the water environment. Therefore, in accordance with DMRB Guidance document LA 113: Road drainage and the water environment no further assessment is required.

Climate

- Greenhouse gas (GHG) emissions will be generated by material production and transportation to and from site.
- Transportation and recovery of materials/waste will require energy deriving from fossil fuels, a non-renewable source.

Mitigation

- Local suppliers will be used as far as reasonably practicable to reduce travel distance, GHG emitted as part of the works, and the associated impact on climate.
- Vehicles/plant will not be left idling when not in use to minimise and prevent unnecessary emissions.
- Further actions and considerations for this scheme are detailed in the above Material assets and waste section.

With best practice mitigation measures in place, the residual significance of effect on climate is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

Vulnerability of the project to risks

As the works will be limited to the like-for-like replacement of the carriageway structure, there will be no change in vulnerability of the road to risk, or in severity of major accidents/disasters that would impact on the environment.

It has been determined that the project is not expected to alter the vulnerability of the existing trunk road infrastructure to risk of major accidents or disasters.

Assessment cumulative effects

The [Scottish Road Works Commissioner's](#) Interactive Map has not highlighted any works during the proposed timescale and at the location of the works.

[Aberdeenshire Council's Planning Portal](#) has not highlighted any relevant proposed developments or planning applications during the proposed timescale at the location of the works.

Amey's current [programme of works](#) has confirmed the A96 carriageway (southbound lane) between Tavelty and Kintore resurfacing works will be carried out next financial year (2024/2025).

Any future schemes will be programmed to consider already programmed works, and as such any effect (such as from TM arrangements and potential construction noise) will be limited.

Assessments of the environmental effects

Following assessment as detailed within this Record of Determination, and provided that mitigation measures are in place and best practice is followed, the residual impact is deemed neutral and there will be no significant effects on the environment.

The following environmental surveys/reviews have been undertaken:

- An Initial Environmental Review of the scheme, undertaken by the Amey Environment and Sustainability Team in November 2023.

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) exceed 1 hectare in area.

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:

- Construction activities are restricted to the existing carriageway.

- At end of life, components can be recycled, reducing waste to landfill.
- The chosen material TS2010 surface course allows a wider array of aggregate sources to be considered when compared to typical SMA.
- The design option conveys sustainability benefits by significantly reducing the quantity of maintenance interventions required at the location.
- As the works will be limited to the like-for-like replacement of the carriageway surfacing, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- The successful completion of the scheme will afford benefits to road users due to improved condition and ride quality of the carriageway surface and better road drainage.
- The use of TS2010 road surfacing affords the benefits of a reduction in mid to high frequencies of traffic noise. As a result, ambient noise levels will likely decrease post construction.
- No significant residual impacts are predicted. Disruption due to construction activities are not expected to be significant and will be mitigated as far as is reasonably practicable.

Location of the scheme:

- The scheme will be confined within the existing carriageway boundary and as a result will not require any land take and will not alter any local land uses.
- The scheme is not situated in whole or in part in a “sensitive area” as listed under regulation 2 (1) of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended).

Characteristics of potential impacts of the scheme:

- Any uncontaminated road planings will be recycled in accordance with Guidance on the Production for Fully Recovered Asphalt Road Planings.
- Materials will be derived from recycled, secondary, or re-used origin as far as practicable within the design specifications.
- Best practice and pollution prevention measures will be implemented to minimise environmental impact.

References of supporting documentation

1. Initial Environmental Review. October 2023.

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.



**TRANSPORT
SCOTLAND**

CÒMHDHAIL ALBA

© Crown copyright 2023

You may re-use this information (excluding logos and images) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence> or e-mail: psi@nationalarchives.gsi.gov.uk

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Further copies of this document are available, on request, in audio and visual formats and in community languages. Any enquiries regarding this document / publication should be sent to us at info@transport.gov.scot

This document is also available on the Transport Scotland website: www.transport.gov.scot

Published by Transport Scotland, December 2023

Follow us:



transport.gov.scot



**Scottish Government
Riaghaltas na h-Alba
gov.scot**