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Environmental Impact Assessment Record of Determination

A86 Ardvonie Road Kingussie Drainage Improvements

Contents

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out drainage improvement works on a section of the A86 carriageway.

Works involve installation of a new gully on A86 at the end of Ardvonie Road. Dropped kerbs will also be installed opposite Ardvonie Road at single wide access, serving several residences and businesses, to prevent ingress of surface water from the trunk road onto third party land.

A mini excavator will be used for installing the new gully, and a mini-roller for compaction of reinstated surfacing between the front and back dropped kerbs. A small area of trunk road will need to be excavated and removed from site to allow installation of new gully pot, frame and cover. Some new kerbing may be required at this location, with existing kerbing removed from site.

Materials required include:

- New plastic gully pot.
- New gully cover and frame (D400 class).
- New concrete kerbing (including dropped and transition kerbs – approx. 20m total length).
- Type 1 subbase (10m^3 approx).
- New surface and binder course (3m^3 approx).

The total works area will be less than 100m^3 (<0.01ha).

The works are currently programmed to be completed within the 2024/2025 financial year, proposed to commence in June 2024. It is expected that the works will be completed during daytime programming (07:00 – 19:00), over five days in total.

Traffic management (TM) will comprise single lane closures and temporary traffic lights (TTLs). No site compound is required.

Location

The scheme is located along a section of the A86 carriageway within Kingussie, in the Highland Council area (Figure 1), between the National Grid References (NGRs) NH 75516 00560 and NH 75425 00521.

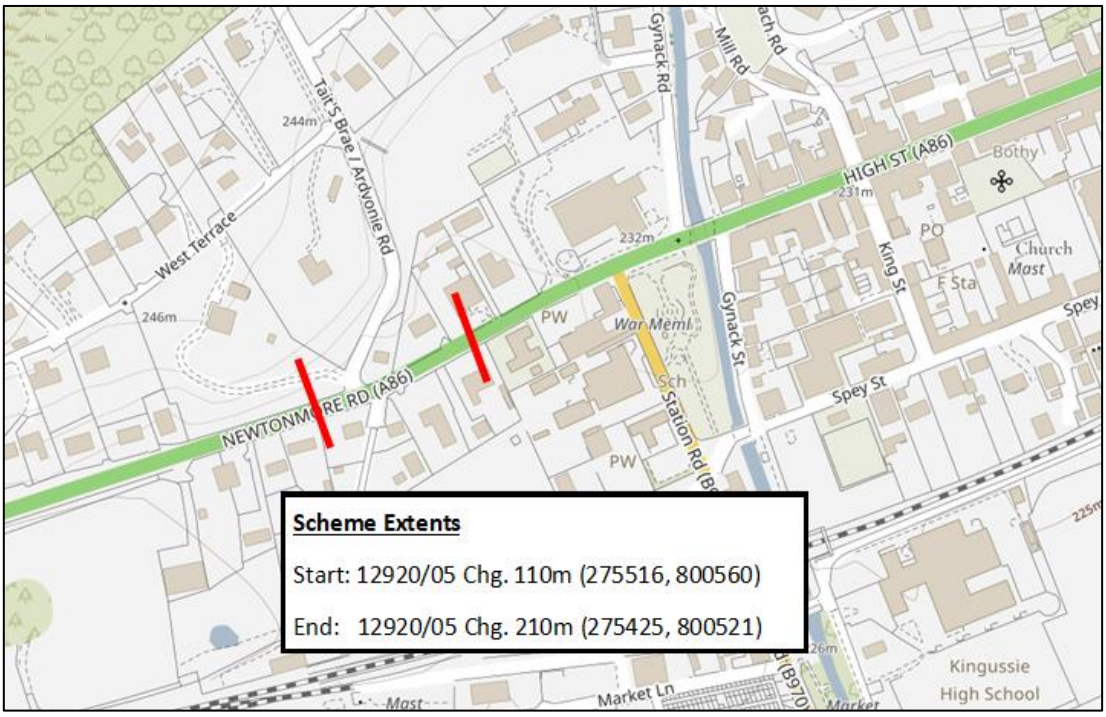

Figure 1 - Scheme Extent

Description of local environment

Air quality

The scheme is not located within an Air Quality Management Area (AQMA) (Scotland's Environment - SE).

There are no registered air pollutant sites on the Scottish Pollutant Release Inventory (SPRI) located within 10km of the scheme (SE).

Baseline air quality in the study area is primarily influenced by vehicles travelling along the A86 trunk road. Secondary influences are likely derived nearby residential/urban activities.

In 2023, the average annual daily flow (AADF) of traffic was measured on a section of the A86 carriageway 130m west of the scheme (ID: 50816), and accounted for 2,680 vehicles, including 77 (3%) heavy goods vehicles (HGVs) (Road Traffic).

Cultural heritage

According to Pastmap, the following cultural heritage features are located within 300m of the scheme:

- Six Listed Buildings; the closest of which (High Street, Roman Catholic Church of St Columba and Presbytery) is located 15m southeast of the scheme.
- Several items listed on the Canmore and Historic Environment Records (HERs) databases; the closest of which pertains to a 19th century benchmark/milestone which is located on the eastbound verge within the scheme extent, at the Ardvonie Road junction (Figure 2).

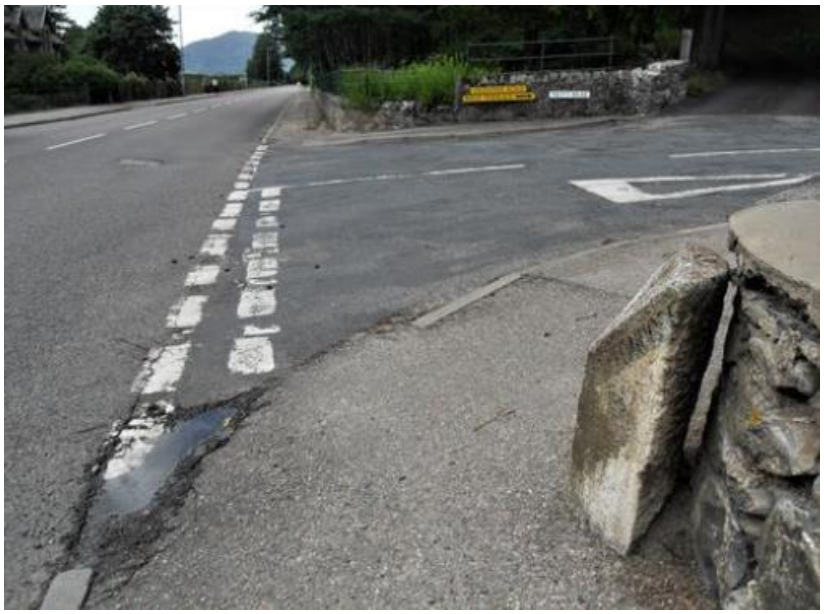

Figure 2 - Milestone (Source: Canmore)

There are no Scheduled Monuments, Conservation Areas, Garden and Designed Landscapes, Inventory Battlefields, or World Heritage Sites within 300m.

Landscape and visual effects

The scheme is located within the Cairngorms National Park (CNP) (NatureScot), which has the following Special General Qualities:

- Magnificent mountains towering over moorland, forest and strath
- Vastness of space, scale and height
- Strong juxtaposition of contrasting landscapes
- A landscape of layers, from inhabited strath to remote, uninhabited upland
- 'The harmony of complicated curves'
- Landscapes both cultural and natural

The scheme is not located within a National Scenic Area, or any other site designated for its landscape character or quality (SiteLink).

Land use surrounding the scheme is comprised of residential and commercial properties and their associated landscaped gardens. Areas of agricultural land and recreational greenspace are found in the wider area.

The Landscape Character Type (NatureScot) within the scheme is recorded as Upland Strath (Type 127), which has the following Key Characteristics:

- Large, broad, flat bottomed strath, with some narrower pinch-point sections.
- Valley floor with the meandering River Spey and frequent lochs and marshes.
- Meadows and wetlands prone to flooding on the valley floor.
- Mixed pastures and broadleaved woodland in more undulating areas.
- Wetlands flanked by mixed woodland and conifer forests.
- Main communication corridor housing A9 trunk road and railway.
- Estate houses and policy landscapes in many parts of the strath.
- A well-settled area with a series of settlements occurs along the northern side of the strath at bridging points over the River Spey. They are popular tourist destinations serving the Cairngorms National Park. Elsewhere farms and houses are frequent along main and minor roads.
- Views to the Cairngorm mountains.
- Noise and activity from busy A9.

The A86 Trunk Road connects Spean Bridge and Kingussie. It commences at the A86 / A82 junction within Spean Bridge leading generally north-eastwards for a distance of 65 kilometres to its junction with the A9. The A86 is a single carriageway along its length.

Biodiversity

The scheme is located within proximity of the following European designated biodiversity sites:

- River Spey Special Area of Conservation (SAC) (NatureScot Site Code: 8365), encompasses Gynack Burn 160m west of the scheme.
- Insh Marshes SAC (NatureScot Site Code: 8274), located 520m southeast of the scheme.
- River Spey - Insh Marshes SPA (NatureScot Site Code: 8571) located 520m southeast of the scheme.
- River Spey - Insh Marshes Ramsar (NatureScot Site Code: 8452) located 520m southeast of the scheme.

There are no locally or nationally designated biodiversity sites located within 300m of the scheme (such as Sites of Special Scientific Interest (SSSIs), or National Nature Reserves) (SiteLink).

Several bird species have been recorded within 2km of the works. Under the Wildlife and Countryside Act 1981, all wild birds and their active nests are protected.

The NBN Atlas also holds record of the following injurious weeds (as listed under the Weeds Act 1959), and invasive native perennials (as listed in the Trunk Road Inventory Manual), under the same search criteria:

- Rosebay willowherb *(Chamerion angustifolium)*
- Common ragwort *(Jacobaea vulgaris)*
- Spear thistle *(Cirsium vulgare)*
- Creeping thistle *(Cirsium arvense)*

No invasive non-native species (INNS) of plants are recorded on either the NBN Atlas or on Transport Scotland's Asset Management Performance System (AMPS) within 300m of the scheme.

The habitat directly adjacent to the scheme is somewhat limited due to presence of residential properties. Gynack Burn provides a freshwater habitat, flowing north to south to the east of the scheme. Habitat further afield is provided by agricultural land to the south and commercial forestry to the north, with dispersed pockets and belts of mixed tree woodlands.

There are no areas of woodland listed on the Ancient Woodland Inventory (AWI) or Tree Preservation Orders (Highland Council) within 300m of the scheme

Considering the residential setting and traffic density at the scheme extent, it is considered unlikely that any terrestrial mammal species of conservation importance are associated with permanent habitat or resting places within the area of likely construction disturbance. There is potential for mammal activity within adjacent tree lines, however it is unlikely that any permanent shelter features will be situated in close proximity to the A86. Furthermore, the scheme is of a minor and highly localised nature which will not increase disturbance levels within this section of the carriageway during the works. Therefore, a field survey has been ruled out, and a desktop study has been deemed sufficient for this assessment.

Geology and soils

The scheme does not lie within a Geological Conservation Review Site (GCRS), or a geologically designated SSSI (Sitelink).

The bedrock geology for the scheme extent is recorded as 'Loch Laggan Psammite Formation', which is a combined metamorphic psammite and micaceous rock type

(BGS). Superficial deposits are recorded by BGS as 'Alluvial Fan Deposits,' containing gravel, sand, silt and clay.

The generalised soil type within the scheme extent is recorded as humus-iron podzols (Scotland's Soils).

Soils within the scheme extent are recorded as being 'Class 0', as displayed on Scotland's Peat Map. Class 0 is considered to be mineral soil, and peatland habitats are not typically found on such soils.

Material assets and waste

The proposed works involve installation of a new gully and dropped kerbing within the A86 trunk road boundary. Materials used will consist of gully pot, cover and frame, concrete kerbing, and surface course, base and binder.

Wastes are anticipated to be excavated material and broken out surfacing.

The scheme value does not exceed £350,000 and as such a Site Waste Management Plan (SWMP) is not required for this scheme.

Noise and vibration

For sensitive receptors, refer to the 'Population and Human Health' section below.

The scheme is not located within a Candidate Noise Management Area (CNMA) as defined by the Transportation Noise Action Plan (TNAP).

There is no modelled noise level data (Lden and Lnight) for the A86 carriageway (or from other sources) available on Scotland's Noise Map within the scheme extents (Scotland's Noise Scotland's Environment).

Baseline noise levels are likely to be primarily influenced by traffic travelling along the A86 carriageway. Secondary sources are likely derived from local urban/recreational activities.

Population and human health

The scheme is located within the village of Kingussie, and as such several residential and other sensitive properties are located within proximity. The closest residential properties are located adjacent to the A86 carriageway, approximately 10m from the works. Little screening features are present between these nearby properties and the works footprint.

Several commercial accommodation properties (such as hotels and guest houses) are located within 300m of the scheme. Badenoch Free Church is located 120m southeast of the scheme.

Street lighting is present along this stretch of the A86 carriageway.

Approximately seven access points are located within, or directly adjacent to, the proposed works area; leading to various private and commercial properties. The A86/Ardvonie Road junction also falls within the scheme extent.

Paved footways are located adjacent to both the eastbound and westbound carriageways for the full scheme extent.

The following routes utilise the A86 carriageway within the scheme extents:

- Route 7 on the National Cycle Network (NCN)
- Cairngorm National Park Core Path (Reference LBS80) (Highland Council)
- The route 'Kingussie and Newtonmore via Loch Gynack', as listed on WalkHighlands.

Due to presence of numerous hotels/guest houses, and various walking/cycling routes, it is assumed that this area is popular with tourists.

The works are currently programmed to be undertaken during a daytime working pattern, under a single lane closure (facilitated by temporary traffic lights).

Road drainage and the water environment

River Gynack (ID: 23137) is located 160m east of the scheme; culverted below the A86 carriageway. This waterbody has been classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD), and was assigned a condition of 'Moderate' in 2022.

The scheme falls within the 'Upper Spey Sand and Gravel' (ID: 150814) groundwater body, which was classified by SEPA in 2022 as having an overall status of 'Good'. This groundwater body is also designated as Drinking Water Protected Areas (DWPA) (ground).

Road drainage within the scheme is provided by top entry channels.

The A86 carriageway within the scheme is recorded as being at low to high risk (0.1%-10% chance of flooding each year) of surface water flooding; and of medium risk (0.5% chance) of river water flooding (SEPA Flood Maps).

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 included a target of reducing CO_2 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 (RoD) 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.

- When not in use, plant and vehicles will be switched off; there will be no idling vehicles.
- All plant, machinery and vehicles associated with the works will be maintained in order to minimise emissions, as per manufacturing and legal requirements. No significant dust, particulate matter, and exhaust emissions sources will be introduced by the works.
- Green driving techniques will be adopted, and effective route preparation and planning will be undertaken prior to works.
- 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.
- Activities will be appropriately managed to reduce the potential for dust creation. This will involve use of measures such as dampening down or on tool extraction where required.
- Material stockpiles will be reduced as far as is 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.
- Surfaces will be swept where loose material remains.

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 RoD.

Cultural Heritage

Although there are records of cultural heritage interest within the scheme and within 300m of the scheme extents, any excavation works associated with the scheme are restricted to the already engineered carriageway boundary, and as such the potential for exposure of cultural heritage features is considered to be negligible. Construction of the A86 road corridor is likely to have removed any archaeological remains that may have been present.

A 19th century benchmark/milestone, recorded on the Canmore database, is located on the eastbound verge within the scheme extent, at the Ardvonie Road junction. Works will not require amendment of this, and precautions will be taken on site and prior to works to ensure no change to this feature.

The following measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- Operatives will be briefed on the location of the Canmore feature, and advised of the need to avoid this.
- There will be no storage of vehicles, plant, or materials against any buildings, walls or fences.
- 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 shall, as much as is reasonably practicable, only be present on areas of made / engineered ground. Where access out with 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.

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.

There is potential for minor visual impacts to the local landscape during the construction phase as a result of obstructed views due to vehicles and machinery. Residual change will occur due to installation of altered kerbing, however this will be minor, localised, and in keeping with the surrounding footway styles. Works will be restricted to the existing carriageways/footways, and will not alter the visual

character of the local area. The works are requried to reduce flooding, and will be undertaken over a daytime working pattern for only five days. As such, no negative impact on the local landscape or the CNP is expected.

Land use will not change as a result of the works, and the works will not result in any significant residual change to the visual amenity of the local landscape. 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.
- Works will avoid encroaching on land and areas where work is not required or is not permitted. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape shall be reinstated as much as is practicable.

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

BEAR Scotland's NW Environment Team have previously undertaken an assessment under the Habitats Regulations (referred to as a Habitats Regulations Appraisal - HRA) for these listed European sites, to cover various maintenance works in proximity. This existing HRA includes various works pertaining to resurfacing and drain maintenance, which will be undertaken as part of this scheme. As such, potential impacts have already been assessed and no further HRA is required.

While some protected species are likely to be present in the vicinity of the scheme, it is unlikely that they will be encountered due to the restriction of works to the trunk road and its verges during the daytime. As such, limited best practice methods are outlined in the Site Environmental Management Plan (SEMP).

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. However, works are restricted to the A86 carriageway boundary, and the number of construction vehicles and construction operatives required onsite is low given the scale and scope of works. Works are also being undertaken within a built-up environment, which experiences daily urban movements. The standard good practice measures to

prevent pollution and reduce noise will be in place across the full scheme extent. The potential for significant species disturbance within the area of likely construction disturbance is therefore considered to be low.

Works will be undertaken within the paved carriageway and verge areas, therefore there is negligible potential to encounter INNS. There is no requirement to import topsoil and the small amounts of excavated soil/materials will be backfilled or removed.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the SEMP and adhered to on site. 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.
- 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 shall be reported to the BEAR Scotland Environment Team.
- 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.
- Relevant toolbox talks for working with protected species will be included in the SEMP.
- 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

All works are confined to the carriageway boundary and are restricted to drainage and kerbing amendments. The scheme is not located within a site of geological significance and no significant earthworks are expected as part of these works. Required excavation works will be restricted to already engineered areas. The following measures will be applied to on site:

- The parking of machinery/personnel and storage of equipment on road verges will not be permitted.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.
- Standard good practice measures, like containment measures for working near water, to prevent water and soil pollution will be detailed in the SEMP and adhered to on site.

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.

- The waste management activity 'storage and use of waste in construction or other relevant works less than 150 tonnes in total' (which is proposed as part of this scheme) is considered exempt from the full requirements of waste management licencing; specifically under Paragraph 19 of The Waste Management Licensing Amendment (Scotland) Regulations 2004.
- Paragraph 19 Waste Exemption is classed as a Complex Exemption. As such, this exemption will be registered with SEPA, and any specified rules/conditions will be complied with.
- All wastes and unused materials will 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 will be available for inspection. A copy of the Duty of Care paperwork must 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 undertaken where possible, 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.

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 works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works will employ a daytime working pattern, and several properties fall within 300m of the schemes. Due to the short duration and localised nature of the works, any noise increases are considered to be negligible during the construction programme. The following mitigation measures will be put in place:

- The Best Practicable 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. On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.

- 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 will 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 construction presence, and associated noise and delays due to traffic management measures. Several access points and paved footways are located within the scheme, and various cycling/walking routes utilise the A86 carriageway at this location. Local access will be granted where required, and provisions for NMUs will be included within TM. The works will be of limited duration, and highly localised.

Increased journey times may occur due to TM requirements, but these are not considered to be significant due to the localised nature of the works. Traffic flow will be appropriately managed by operatives on site.

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-time works) will be communicated to local residents throughout the programme.
- Any access restrictions will be advised to local properties. Operatives will grant local access as required.
- 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 trafficscotland.org website. Journey planning information will also be available for drivers online through BEAR Scotland’s social media platforms.

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

Construction and maintenance of a surface water drainage system on minor watercourses do not require authorisation from SEPA under CAR therefore no authorisation from SEPA is required for the works to be undertaken.

During the 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/flooding) 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:

- No works will be undertaken during times of heavy rain to avoid debris/silt washing into the clean water.
- Existing drainage entry points will be appropriately blocked during drainage amendments. These will be checked on completion of works to ensure no debris/silt build up has occurred from the works before reinstating. Any blockages/build-ups will be cleared as required.
- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works in or near water are detailed in the SEMP and will be adhered to on site.
- No discharges into any watercourses or drainage systems are 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 will be 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 will 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 will be 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 contaminated 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 must 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.
- 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.

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.

Vulnerability of the project to risks

The A86 carriageway within the scheme is recorded as being at high risk of flooding (10% chance of flooding each year). Works will be programmed as far as is reasonably practicable to avoid periods of adverse weather or heavy rainfall.

Works are restricted to the A86 carriageway, and traffic management will be designed in line with existing guidance. TM will consist of lane closures facilitated by temporary traffic lights, and alternative NMU provisions/routes will be included in the TM setup.

A Traffic Management Plan (TMP), which includes measures to avoid or reduce disruption to road traffic, will be produced in accordance with the Traffic Signs Manual (Department of Transport 2009). The TMP will ensure that there is no severance of community assets, access routes or residential development.

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 of cumulative effects

During construction, activities associated with the works may create several types of minor temporary disturbances such as changes to noise and vibration and air quality. However, these impacts will be temporary in nature and are not anticipated to result in a significant cumulative effect.

A search of the Highland Council Planning Portal has identified seven planning applications submitted within the past year, within 300m of the scheme. These relate to varying levels of works, including erection of a new rail bridge (23/03010/LBC), change of use (23/03281/FUL), and erection of extension (24/01333/FUL). None of these application boundaries are located within the footprint of the works. In the event of overlap of construction periods, any cumulative impact is not considered to be significant due to the localised and short duration of the BEAR Scotland works.

A search of the Scottish Roads Works Commissioner website (Map Search) has identified broadband works (third party) within Kingussie which are planned to be undertaken during the scheme duration. These are classed as ‘medium impact’ works and may involve similar TM requirements and proposed construction activities. Due to the short duration of the proposed BEAR Scotland works, any combined impact is considered to be limited, and relevant vehicle and NMU movements will be prioritised. Both works are programmed during daytime hours, further limiting any combined impact from noise.

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 TM. As a result of this exercise, where a potential for cumulative impacts is identified, BEAR Scotland will reprogramme schemes to avoid / limit any cumulative effects or will utilise existing TM to complete multiple schemes at once. This approach allows BEAR Scotland to effectively manage the potential cumulative effects as a result of TM, resulting in minimal disruption to users of the Scottish trunk road network.

Overall, it is unlikely that the proposed works will have a significant cumulative effect with any other future works in the area.

Assessments of the environmental effects

As detailed in the Description of Main Environmental Impacts and Proposed Mitigation section within this Record of Determination, 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 full within the 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 (EIA) 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 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 restricted to the 0.01ha of existing carriageway boundary.
- The works include drainage and kerbing amendments on the localised area of the A86 carriageway within Kingussie.
- The works will be temporary, transient, highly localised, and completed during day-time hours.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on local residents and road users during the operational phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.

Location of the works:

- The River Spey SAC, Insh Marshes SAC, River Spey - Insh Marshes SPA, and River Spey - Insh Marshes Ramsar lie within 2km of the scheme. An assessment under the Habitats Regulations concluded that the scheme will not result in Likely Significant Effects on any of these sites.
- The scheme extent is located within the Cairngorms National Park. No change to the special qualities of this will occur as a result of the works.
- The scheme will be confined within the existing carriageway boundary and as a result will not require any land take or alter any local land uses or habitats.

Characteristics of potential impacts of the works:

- Any residual impacts to the local landscape during the construction phase will be minor and will not result in significant visual changes to the A86 road corridor. Any impacts during the construction period are expected to be temporary, short-term, and non-significant.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- Residual impacts are considered to be beneficial for the travelling public which may use this stretch of carriageway.
- The SEMP will include plans to address environmental incidents.
- 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.
- No in-combination effects have been identified.

References

HRA Proforma – Drumochter Hills + River Spey + Insh Marshes; BEAR Scotland NW (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.

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