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Environmental Impact Assessment Record of Determination

A828 Beinn Sgluish - Resurfacing

Contents

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on a stretch of the A828 carriageway at Beinn Sgluish within the Argyll and Bute Council area. The works include milling out and replacing bituminous material to a depth of 100mm. Following the resurfacing works, road markings will be reinstated.

The total length of the scheme is 1,645m with an approximate area of 1.32 ha.

The main plant will include pavers, planers, excavators, and rollers. A welfare unit with generator will be required on site, and heavy goods vehicles (HGVs) will be required for transport of materials and wastes.

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site.
- Mill out old surface course.
- Reset and/or replace roadside gullies where required.
- Lay new surface course.
- Roll surface and allow it to set.
- Install road markings and studs.
- Remove TM and open road.

The works are programmed to be completed within the 2024/2025 financial year, currently commencing in December 2024. Works will be undertaken during night-time hours (19:00-06:00) over the duration of five nights. Changes in the programme may result in the need for a change to daytime working.

TM will involve a full road closure with timed amnesties. Site access and plant storage will be located within TM. If the programme changes, this may result in amendments to the exact TM requirements.

Location

The scheme is located on the A828 carriageway, south of Ballachulish within the Argyll and Bute Council (Figure 1).

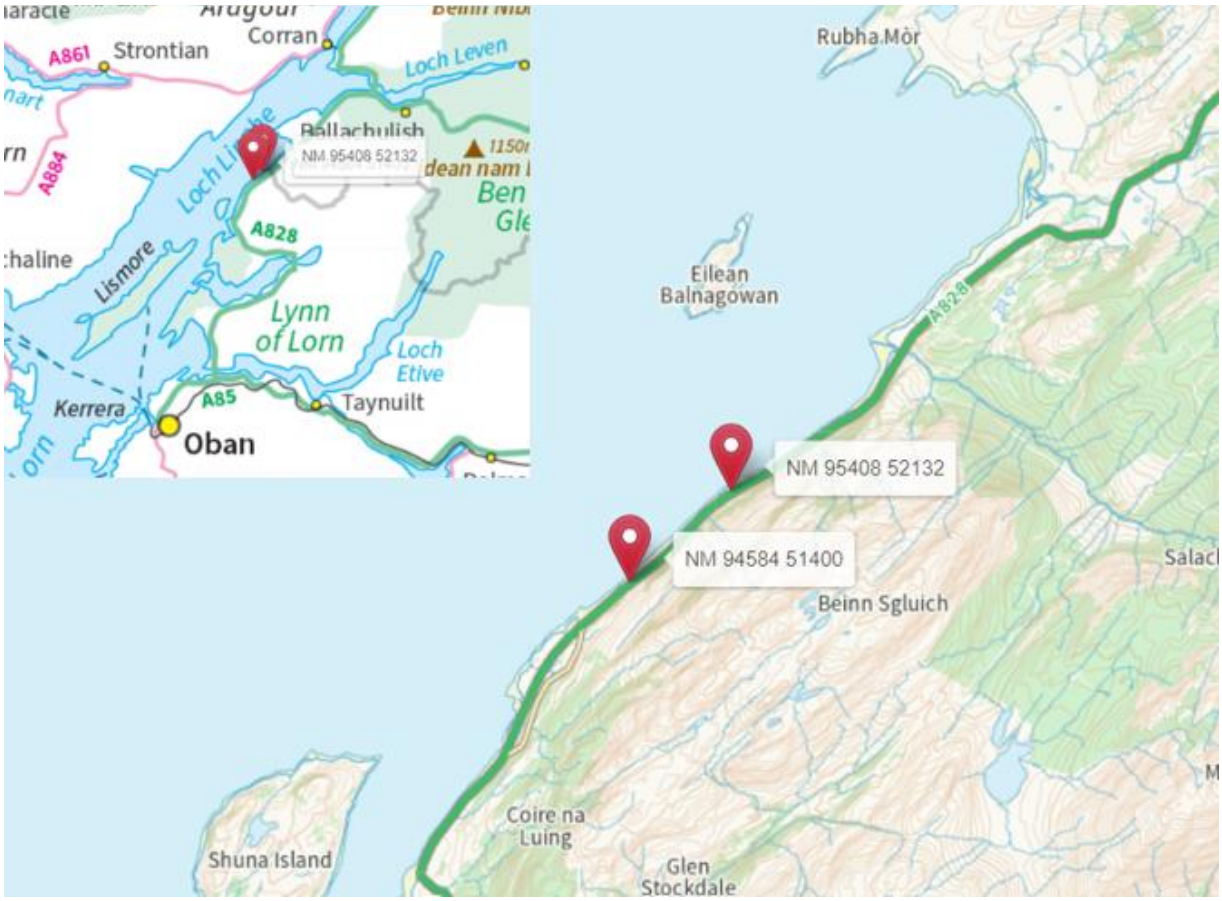

Figure 1: The scheme extent; inset map shows the scheme location in the wider area.

The scheme has the following National Grid References (NGRs):

- Scheme northern point: NM 95408 52132
- Scheme southern point: NM 94584 51400

Description of local environment

Air quality

The scheme lies within the boundary of the Argyll and Bute Council, which has not declared any Air Quality Management Areas (AQMA) within its administrative boundary (Air Quality in Scotland).

No Air Quality Monitoring Stations (AQMS) are located within 20km of the proposed works (Air quality in Scotland).

No Scottish Pollutant Release Inventory (SPRI) sites (which record air pollutant releases), are located within 2km of the scheme (Scotland's Environment).

Baseline air quality is likely influenced by traffic along the trunk road and day-to-day agricultural and/or urban activities.

The A828, within the scheme extents is a single carriageway with the national speed limit applying. The Annual Average Daily Traffic (AADT) flow was recorded as 2,614 motor vehicles in 2023, of which 5.5% was heavy goods vehicles (ID: 30798) (Road Traffic Statistics).

Cultural heritage

No Listed Buildings, Scheduled Monuments, Garden & Designed Landscapes, Conservation Areas, Battlefields or World Heritage sites were identified within 300m of the scheme (PastMap).

There are no Canmore and Historic Environment Records (HERs) within 300m of the scheme.

Construction of the A828 carriageway is likely to have removed any archaeological remains that may have been present within the carriageway boundary. The potential for the presence of unknown archaeological remains in the study area has therefore been assessed to be low.

Works will be restricted to previously engineered ground within the A828 trunk road boundary. Therefore, this receptor has no constraints that are likely to be impacted by the proposed works and as such, 'cultural heritage' is scoped out and is not discussed further within this RoD.

Landscape and visual effects

The scheme is not situated within a National Park or a National Scenic Area (NSA) (SiteLink).

The Landscape Character Type (LCT) within the study area is 'Craggy Upland - Argyll' (no. 40) (Scottish Landscape Character Types). The key characteristics of this LCT are:

- Upland moor with irregular, rather amorphous landform.
- Rounded knolls, rock outcrops and numerous lochs in low-lying hollows and glens.
- Open moorland predominates, but extensive conifer plantations camouflage the landscape pattern in some areas.
- Oak-birch woodland on lower slopes.
- Stone walls enclose an irregular patchwork of pastures within glens on margins of moorland.
- Isolated farmsteads and small villages in sheltered sites within glens.
- Numerous archaeological remains, often concentrated on rounded knolls on lower slopes.
- Historic intricate, irregular landscape pattern in glens.

Land use (HLA) within 300m of the scheme extent is classified as managed woodland and unclassified.

The land surrounding the trunk road is classified as 6.3 – 'Land capable of use as rough grazing with low quality plants' (Scotland's soils).

The A828 carriageway is a prominent linear landscape feature. The road corridor, for example, has a distinct character shaped by fast-flowing traffic, road markings, safety barriers, signage, landscaping, lighting etc. The scale of the carriageway detracts from the quality and character of the wider landscape.

Biodiversity

There are no European sites within 2km of the scheme extent and the scheme does not have ecological connectivity with any European sites located more than 2km from the scheme extent (SiteLink).

There are no Local Nature Conservation Sites (LNCS), Sites of Special Scientific Interest (SSSI) or Local Nature Reserves (LNRs) within 300m of, or which share connectivity with the scheme extent (SiteLink).

The NBN Atlas holds the following records of invasive non-native species (INNS) (as denoted by *) and injurious weeds using the above search criteria:

- Common ragwort (*Jacobaea vulgaris*)

- Japanese knotweed (*Fallopia japonica*)*
- Spear thistle (*Cirsium vulgare*)

A search of the Asset Management Performance System (AMPS) records no invasive plant species within the A828 at the scheme extents.

The Ancient Woodland Inventory Scotland records an area of woodland classified as 'ancient (of semi-natural origin)' as lying adjacent to the scheme extent.

Woodland and riparian habitat is present in the surrounding area.

Geology and soils

The A828 within the scheme extents is not located within a Geological Conservation Review Site (GCRS) or geological SSSI and there are no Local Geodiversity Sites (LGS) with connectivity to the scheme extents.

The British Geological Survey online mapping tool records that the bedrock geology within the scheme extents is recorded as:

- Cuil Bay Slate Formation – Graphitic Pelite and Semipelite
- Appin Phyllite and Limestone Formation – Phyllitic Semipelite and Quartzite
- North Britain Siluro-Devonian Calc-Alkaline Dyke Suite - Lamprophyre

The mapping tool records the following superficial deposits within the scheme extents:

- Humocky (moundy) Glacial Deposits – Diamicton, sand and gravel

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.

Works will be restricted to previously engineered ground within the A828 trunk road boundary. Therefore, this receptor has no constraints that are likely to be impacted by the proposed works and as such, 'geology and soils' is scoped out and is not discussed further within this RoD.

Material assets and waste

The proposed works are necessary to resurface sections of the A828 carriageway, requiring base/binder inlay, and reinstatement of road markings and studs. Materials used will consist of:

- Asphaltic material
- Bituminous emulsion bond coat

- Milled in road studs
- Thermoplastic road marking paint

Wastes are anticipated to be removed planings from the surface course. Tar bound material is present in areas of the scheme.

Uncontaminated planings will be 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.

Any coal tar contaminated road planings will be classified as a Special Waste. Special waste consignment notes (SWCN) will be obtained from SEPA to allow the movement of the contaminated planings. Coal tar contaminated road planings will be transported by a registered waste carrier to an appropriate waste recovery facility, and SEPA will be notified prior to Special Waste leaving site.

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

Noise and vibration

The works do not fall within a Candidate Noise Management Area (CNMA) as defined by the Transportation Noise Action Plan (Road Maps) (TNAP).

LDEN or 'day, evening, night average noise levels' are modelled within the scheme extent. Noise levels are recorded as being between 67 and 70db on the road (ScotGov).

Baseline noise and vibration in the study area is mainly influenced by vehicles travelling along the A828 trunk road. Secondary sources are derived from day-to-day urban and agricultural/forestry land management activities.

Population and human health

There are no properties located within 300m of the scheme.

There are no access roads, laybys, street lighting or other non-motorised user facilities located within the scheme extents. There is one paved pedestrian footway/ cyclepath located parallel to the southbound carriageway of the A828 for the full scheme extent, located directly adjacent to the carriageway at its closest point.

There is one core path (SE Map) and National Cycle Network (NCN) route located on the pedestrian path lying adjacent to the A828 carriageway.

There is no walking route, as listed on WalkHighlands, within 300m of the scheme extent.

TM will involve a full road closure with timed amnesties.

The A828 Trunk Road connects Connel with South Ballachulish. It commences at the A828 / A85 junction in Connel leading generally north-eastwards for a distance of 51 kilometres to its junction with the A82 in South Ballachulish. The A828 is a single carriageway along its length.

Road drainage and the water environment

The A828 within the scheme extents is located adjacent to Loch Linnhe (South) (ID: 200081). Loch Linnhe (South) is a coastal waterbody that has been classified by the Scottish Environment Protection Agency (SEPA) in 2022 under the Water Framework Directive 2000/60/EC (WFD) as having an overall status of 'Good' (SEPA).

A search of the SEPA Flood Map identifies that there is no risk of surface water flooding or coastal flooding within the scheme extents.

A search of the Scotland's Environment (SE) online mapping tool determined that the trunk road, within the scheme extents, lies on the 'Lismore and Port Appin' groundwater, which has been classified as 'Good'. The scheme falls into a Drinking Water Protected Area for groundwater.

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 involving cutting/planing 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.
- Drop heights to haulage vehicles and onto conveyors will be minimised.
- Surfaces will be swept where loose material remains following planing.

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.

Landscape and visual effects

There will be a short-term impact on the landscape character and visual amenity of the site as a result of the presence of construction plant, vehicles, and TM. However, works will be restricted to the A828 carriageway boundary and will be limited to the like-for-like replacement of the carriageway surface and will be carried out over a short duration (5 nights).

Land use will not change as a result of the works, and the works will not result in any residual change to the visual amenity of the local landscape.

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.
- 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 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.

All works will be restricted to the A828 carriageway surface and will not entail any in-stream works or vegetation clearance. There are no significant earthworks associated with the scheme, and 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 limited

potential to spread or introduce invasive non-native species (INNS), invasive native perennials, or injurious flowering plant species.

Works are restricted to the A828 carriageway and the number of construction vehicles and construction operatives required onsite is low given the scale and scope of works. In addition, any species in the area are likely to be accustomed to noise and visual disturbance pertaining to vehicle movements on the A828. The scheme is of short duration (5 nights) and will be undertaken on a rolling programme. The potential for significant species disturbance within the area of likely construction disturbance is therefore considered to be low.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the Site Environmental Management Plan (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 potentially unrecorded instances of INNS or injurious weeds in road verges throughout the works period. Should any INNS be identified in working areas, no works will take place within 7m of these areas until the BEAR Scotland Environment Team can provide further advice on additional mitigation measures.
- 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.
- Any artificial lighting used during night works or periods of low light levels will be directional and will avoid spilling into sensitive areas and nearby habitat where possible.

- 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.

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 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 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 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).
- In the case of coal tar being present on site:

    - Any coal tar contaminated road planings will be classified as Special Waste.
    - Special waste consignment notes (SWCN) will be obtained from SEPA to allow the movement of the contaminated planings.
    - Coal tar contaminated road planings will be transported by a registered waste carrier to an appropriate waste recovery facility.
    - SEPA will be notified at least 72 hours before (and no longer than one month before) Special Waste leaving site.
- 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.

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 night-time working pattern; however, no residential properties or other sensitive receptors are located within 300m of the works. Due to the short duration and localised nature of the works, the proposed scheme is anticipated to result in temporary minor noise impacts 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.
- The Environmental Health Officer (EHO) for the Argyll and Bute Council will be notified of works.
- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to the local area.
- 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 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 vehicle travellers, and non-motorised road users (NMUs) as a result of construction presence, and associated noise and delays due to traffic management measures. Road users and local bus operators will be informed of works through a media release, which will provide details of construction dates and times, planned amnesties, and the alternative diversion route.

No significant congestion issues are noted during the proposed construction hours; however increased journey times may occur, but these are considered insignificant considering the relatively low traffic counts.

With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- Notification will be issued to local public transport operators prior to commencement of the works, advising of any proposed works and expected restrictions.
- Local access will be granted as required.
- Any changes of schedule (e.g. change from night-time works to daytime works) will be communicated to travelling public throughout the programme.
- Appropriate provisions / measures will be implemented within the TM to allow the safe passage of NMUs of all abilities through the site (if required).
- 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'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

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/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:

- 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 are detailed in the SEMP and will be 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.
- Appropriate measures will be implemented during resurfacing operations to limit the potential for wastes (i.e. road planings) and materials (i.e. new asphalt) to enter any gullies present on site. On completion of resurfacing operations, any gullies present on site will be visually checked to ensure they have not become blocked as a result of the scheme.
- 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 removed to a local waste management facility.

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

Works are restricted to the made ground of the A828 carriageway and TM will be designed in line with existing guidance. TM will consist of nightshift lane closures with amnesties. Where required, alternative NMU provisions/routes will be included in the TM setup, to minimise impact of the works on NMUs.

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 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.

A search of the Argyll and Bute Council Planning Portal (Argyll and Bute Council Planning Portal) identified no approved planning applications within 300m of the scheme in the last 6 months.

A search of the Scottish Roads Works Commissioner website (Map Search) has identified that no other roadworks are currently ongoing, or noted as being planned, on the trunk road at the same time as this scheme. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

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 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) exceed 1 hectare in area.

The project has been subject to screening using the Annex III criteria to determine whether a formal 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, 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:

- Works are restricted to like-for-like replacement of worn road surface, with all works restricted to made ground on the A828 carriageway surface.
- Construction activities are restricted to an area of 1.32 ha along a 1,645m stretch of the A828.
- The works will be temporary, transient, localised, and completed during night-time hours on a rolling programme.
- 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.
- Removing the carriageway defects will provide this part of the A828 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions for road users.

Location of the scheme:

- The scheme will be located within the existing A828 road boundary and as such, no land take will be required.
- The scheme is not located within a NP/NSAs or any other sensitive sites (such as any sites designated for biodiversity conservation). Works entail like-for-like resurfacing and no change to the visual landscape is expected.
- No residential properties or other sensitive receptors lie within 300m of the scheme.

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.
- 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 road users, ecological and human receptors during the operational phase.
- As the works will be limited to the like-for-like replacement 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.
- Mitigation measures detailed above (and in the SEMP) will be 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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