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Environmental Impact Assessment Record of Determination

A87 Luib Slope Failure

Contents

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out ditch widening and layby closure on the A87 on Skye approximately 10km northwest of Broadford (Grid reference map).The closed layby will be milled and seeded with grass, with signs and bollards installed to indicate the closure. The layby covers an area of roughly 105m^2. The ditch which will be widened runs parallel to the road for a distance of 300m with a total scheme area of approximately 0.5ha.

These works have been commissioned due to a nearby landslip and the works will provide improved road safety while long term measures are considered.

The works are not yet programmed but are likely to be carried out in in the first quarter of the 2024/2025 financial year. Works will be carried out over approximately two weeks following a daytime working pattern.

Traffic management (TM) is currently anticipated to consist of single lane closures facilitated by temporary two-way traffic lights. The scheme is located on a trunk road stretch with no pedestrian facilities present other than the layby to be closed, however non-motorised users (NMUs) will still be accommodated within TM. No pedestrian diversions are required.

Location

The scheme is located on the Isle of Skye approximately 10km northwest of the settlement of Broadford (Grid ref: NG 55340 27556 - NG 55109 27366).

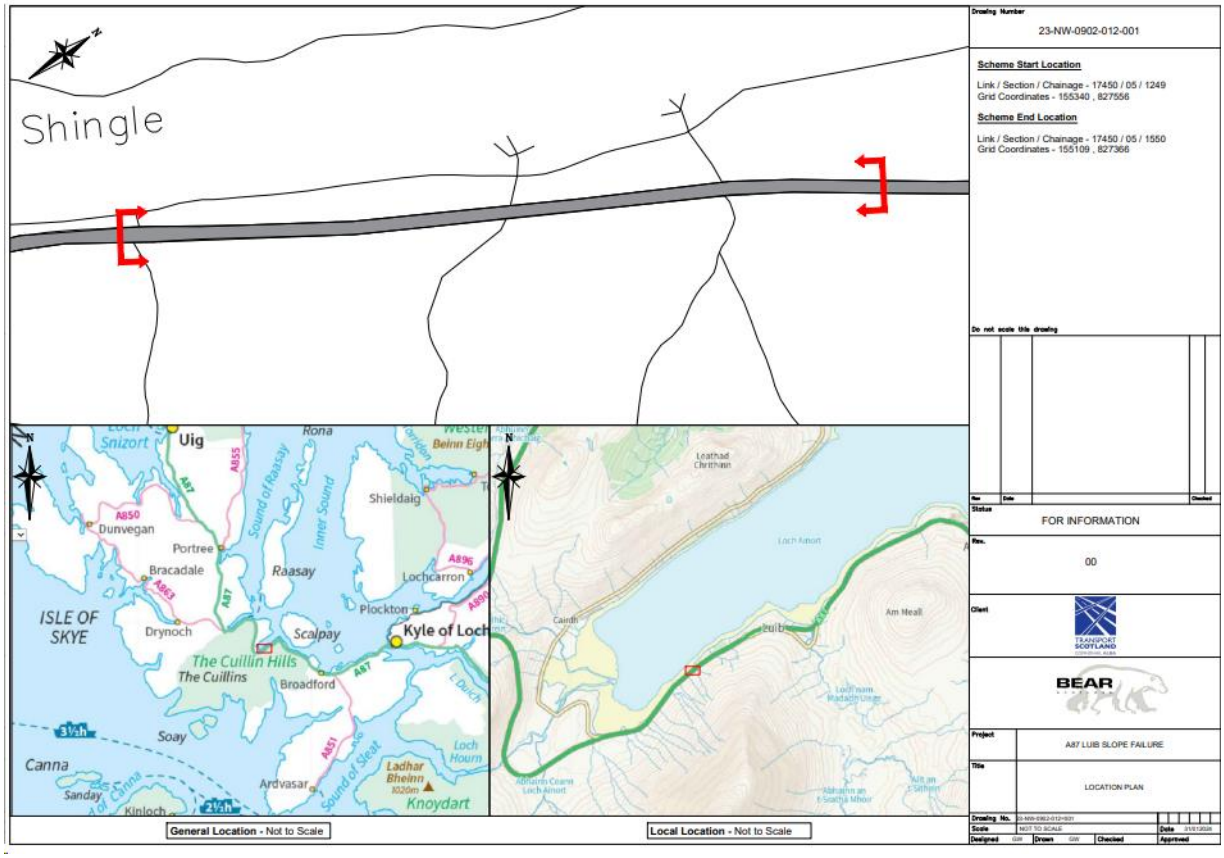

Figure 1 – Scheme location. Source: BEAR Scotland A87 Luib Slope Failure EAR issued 16th February 2024.

Description of local environment

Air quality

The scheme does not lie within any Air Quality Management Areas (Scottish Air Quality).

The nearest Air Quality Monitoring Station is located 75km southeast of the scheme at Fort William (Scottish Air Quality) and records low air pollution levels over the last 90 days. Air quality within the scheme is expected to be similarly low due to the more rural location of the A87.

There are no sites within 10km of the scheme listed on the Scottish Pollution Release Inventory (SPRI).

Due to the highly rural nature of the works, air quality is anticipated to be quite high throughout the scheme extents, with road traffic providing the main impact on air quality.

Cultural heritage

According to Pastmap (Pastmap), there are no features of cultural heritage present within 300m of the scheme. This includes Listed Buildings, Historic Environment Records, Canmore database records, Scheduled Monuments, Garden & Designed Landscapes, Battlefields, Conservation Areas, and World Heritage Sites.

While works primarily involve work and excavation within the verge, construction of the A87 is likely to have removed any archaeological remains that may have been present within the area and as such ‘cultural heritage’ is scoped out and is not discussed further within this RoD.

Landscape and visual effects

The scheme lies within the Cuillin Hills NSA (SiteLink) which is designated for the following Special Qualities:

- Magnificent mountain scenery
- The contrast and complement of the Black and Red Cuillin
- The surrounding wild landscape, a fitting foil for the mountains
- Iconic images of crofting townships with dramatic backdrops
- The Cuillin Ridge, a landmark throughout the northwest

- The ever-changing weather
- A place of inspiration
- The most challenging mountains in Scotland

Land surrounding the scheme is dominated by sparse upland vegetation with no apparent agricultural or recreational use. Loch Ainort is a sea loch which forms a major landscape feature 15m northwest of the scheme at its nearest point.

The Landscape Character Type within the scheme is classed as '367 – Smooth Mountain Range' (NatureScot) and has the following key characteristics:

- Mainly conical mountains of convex to concave slopes and smooth rounded tops separated by wide glaciated straths and glens.
- Contrasting form to the jagged Black Cuillin.
- Peripheral, smooth rounded foothills.
- Hills are of a similar profile, often viewed collectively with each other and their smooth foothills.
- Smooth texture and mottled pattern, the surface is broken by deep crevices formed by drainage channels which create a radial arrangement of lines.
- Upper areas are dominated by pink, exposed granite rock.
- Lower slopes of heather, grassland and peaty bogs, with rivers and lochans in straths and glens.
- Simple, repetitive, smooth profile of the main hills imparts a sense of predictability.
- Roads, conifer forests, quarries and power lines are located mainly within the edges of the foothills.
- Uninhabited landscape, with the interior accessed by paths and tracks through intervening straths and glens.
- Wild character derived from the remoteness, natural landform and lack of human activity, except around the margins of the area

The A87 Trunk Road connects Invergarry, Kyle of Lochalsh and the Isle of Skye (Portree and Uig). It commences at the A87 / A82 junction at Invergarry leading generally north-westwards for a distance of 160 kilometres to the pier at Uig on the Isle of Skye. The A87 is a single carriageway along its length.

Biodiversity

The scheme lies within the Cuillins Special Protection Area (SPA) (SiteLink).

A Habitats Regulations Appraisal (HRA) was carried out to assess the potential for the works to result in Likely Significant Effects (LSE) on the designated features of the above site. Refer to the assessment section below for details.

No other 'sensitive areas' designated for biodiversity features e.g., Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar, or Site of Special Scientific Interest (SSSI) are located within 2km of the scheme (SiteLink).

The NBN Atlas holds no records of invasive non-native species (INNS) of plants, as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (WCA), or injurious weeds, as listed under the Weeds Act 1959, or invasive native perennials, as listed in the Trunk Road Inventory Manual under the same criteria.

Transport Scotland's Asset Management Performance System (AMPS) holds no records of INNS within 300m of the scheme extents.

There are no Tree Preservation Orders within 300m of the scheme (The Highland Council).

There are no areas of ancient woodland recorded within 300m of the scheme (Scotland's Environment).

Habitat surrounding the scheme is dominated by heathland with few trees, and Loch Ainort forming a major coastal waterbody 50m north of the scheme.

A site visit was conducted by BEAR Scotland's Environment team in March 2024. No evidence of protected species or INNS was observed and minor watercourses in the vicinity of the scheme were deemed unsuitable for fish.

Geology and soils

Soil within the scheme is recorded as peaty gleyed podzols with dystrophic semi-confined peat (Scotland's Soils).

The Carbon and Peatland 2016 Map records soil within the scheme as Class 3 – "Dominant vegetation cover is not priority peatland habitat but is associated with wet and acidic type. Occasional peatland habitats can be found. Most soils are carbon-rich soils, with some areas of deep peat" (Scotland's Soils).

Bedrock within the scheme is recorded as granophyric granite of the Glas Bheinn Mhor Granite. No superficial deposits are recorded (BGS GeologyViewer).

Material assets and waste

The proposed works are required to expand an existing drainage ditch, and to seed the existing layby, with addition of some signage and bollard installation, closing this for use to the public. Materials used will consist of:

- Sign posts
- Marker posts
- Soil
- Seeds

As the value of the scheme does not exceed £350,000 a Site Waste Management Plan (SWMP) is not required.

Wastes generated will consist of:

- Approximately 50m^3 of material removed from the ditch
- A small amount of milled material from the layby

No site compound is likely to be required for these works. Storage of plant and equipment will be within TM on the A87 carriageway.

Noise and vibration

Works are not located within a Candidate Noise Management Area (CNMA) or Candidate Quiet Area (CQA) (Transport Scotland).

There is no modelled noise data available for the A87 carriageway within the scheme area (Scotland's Noise Scotland's Environment).

Baseline noise and vibration in the study area is mainly influenced by vehicles travelling along the A87 trunk road. Secondary sources are derived from day-to-day land management activities.

Population and human health

There are no residential properties within 300m of the scheme extents.

There are no Core Paths (The Highland Council), or routes listed on WalkHighlands which lie within 300m of the scheme (WalkHighlands). There are no National Cycle Network routes within the scheme (OSMaps).

There are no facilities for non-motorised users (NMUs) within the scheme other than the layby.

The nearest manual traffic count point is located 5km east (ID: 20940) which records an annual average daily flow of 3,681 vehicles with heavy goods vehicles (HGVs) making up approximately 5% (Department of Transport).

Road drainage and the water environment

The scheme is underlain by the Skye South groundwater body and Drinking Water Protected Area which was classified by SEPA in 2022 as being in 'Good' condition (SEPA).

There are a number of minor unnamed and unclassified watercourses channelled under the A87 within the scheme. These all discharge into Loch Ainort (ID: 200112) which is a sea loch 15m north of the scheme classified by SEPA in 2022 as being in 'Good' condition (SEPA).

Road drainage within the scheme is provided via a roadside drainage ditch.

The A87 trunk within the scheme lies partially within land classified by SEPA's flood mapping tool as having high likelihood of coastal flooding (10% chance of flooding each year) (SEPA).

Climate

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

The Scottish Government has since published its indicative Nationally Determined Contribution (iNDC) to set out how it will reach net-zero emissions by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030 (Scotland's contribution to the Paris Agreement: indicative Nationally Determined Contribution - gov.scot (www.gov.scot)). By 2040, the Scottish Government is committed to reducing emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

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

Policies and plans

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

Description of main environmental impacts and proposed mitigation

Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. The main sources are likely to be dust generated by excavation of material from the drainage ditch, as well as exhaust emissions from ancillary plant and vehicles. As a result, there is potential for dust, particulate matter, and exhaust emissions 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.

- Materials that have a potential to produce dust will be removed from site as soon as possible.
- Ancillary plant, vehicles and non-road mobile machinery (NRMM) will have been regularly maintained, paying attention to the integrity of exhaust systems.
- Ancillary plant, vehicles and NRMM will be switched off when stationary to prevent exhaust emissions (e.g., there will be no idling vehicles).
- Cutting, grinding, and sawing equipment (if required) will be fitted or used in conjunction with suitable dust suppression techniques e.g., local exhaust ventilation system that fits directly onto tools.
- Regular monitoring (e.g., by engineer or Clerk of Works) will take place when activities generating air pollution are occurring. In the unlikely event that unacceptable levels of air pollution are emanating from the site, the operation will, where practicable, be modified and re-checked to verify that the corrective action has been effective. Actions to be considered include: (a) minimizing cutting and grinding on-site, (b) reducing the operating hours, (c) changing the method of working, etc.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Material stockpiles will be reduced as 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.
- Good housekeeping will be employed throughout the work.

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

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, people, ancillary plant, vehicles, NRMM and materials are restricted to areas of made/engineered ground on the A87 and its verges. As such, the visual impact of the works will be somewhat reduced.

Upon completion of the works, some residual impacts are anticipated from the widening of the existing drainage ditch and the seeding and closing of the layby. Due to the minor and localised nature of these changes, no significant impacts to local landscape are anticipated.

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

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.

Although the scheme lies within the Cuillins SPA, works are restricted to the immediate vicinity of the A87 carriageway boundary and the HRA has concluded that

there will be no likely significant effects on the designated site as a result of the works based on the following considerations:

- Works will not contribute to known negative pressures.
- No changes to land use besides restoration of the layby will take place. As such, habitat used by designated species for foraging and breeding will remain unchanged.
- Given the minor and localised nature of the works and adherence to good practice measures for pollution prevention, no risk of significant pollution impacts (either to watercourses or associated feeding grounds) was identified.
- Although the works will result in a temporary (localised) increase in noise, this is not considered to be a defining feature of the works due to expected plant and construction activities. In addition, wildlife in the vicinity is likely to be habituated to the existing levels of traffic light and noise on the A87 carriageway and are unlikely to be significantly affected by increased noise during works.

Despite the absence of biological records and absence during the survey, due to the requirement for verge working and excavation, a toolbox talk for INNS will be included in the SEMP to provide information on identification, ecology, and legislation relating to INNS and injurious weeds which may be in the vicinity of the works location.

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. Any protected species in the area are likely to be accustomed to road noise on the A87 and the scheme is of short duration and will be undertaken on a rolling programme. In addition, suitable habitat for most protected species is absent from the landscape. 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 to carry out the works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- All construction operatives will be briefed through toolbox talks prior to works commencing, which will be included in the SEMP. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species.
- Site personnel will remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species will be reported to the BEAR Scotland Environmental Team.

- Although not recorded during the desk study, personnel will remain vigilant for the presence of INNS or injurious weeds in road verges throughout the works period. Should any INNS be identified in working areas, works will be restricted to a 7m buffer of any growth where reasonably practicable.
- A 'soft start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.
- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g. storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level will be provided, allowing free passage for mammals and preventing entrapment.

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

Geology and soils

Works primarily involve changes to soil within the scheme through excavation and milling of the layby. While some material will be excavated from the roadside ditch, this will be retained on site where possible, with only landslide material (which contains no peat) being removed from site. As such, all peat and peat soils will remain on site. The closing of the layby and seeding with grass will provide a net positive impact on the soils within the scheme through increased bank stability. With the following mitigation measures in place, the likelihood of significant impacts on geology and soils is low.

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

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

Material assets and waste

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

- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Care will be taken to order the correct quantity of required materials to prevent the disposal of unused materials.
- Where possible, minimal packaging shall 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:

- Where possible, excavated soil will be retained on site.
- 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 shall be provided and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).
- Re-use and recycling of waste will be encouraged and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g., waste carrier's licence, transfer notes, and waste exemption certificates).
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.

- Where applicable, all temporary signage will be removed from site on completion of the works.

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

Noise and vibration

Construction activities associated with the proposed scheme have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. However, the works are not located within a CNMA or CQA, and there are no residential properties or other sensitive noise receptors within the vicinity of the scheme. Works will follow a daytime working pattern. No changes to noise or vibration levels are anticipated following completion of works.

The following mitigation measures will be put in place:

- The Best Practice Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum. 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 site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.
- Drop heights from vehicles and NRMM will be kept to a minimum to minimise noise when unloading.
- All plant, machinery and vehicles will be switched off when not in use.
- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms 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 have the potential to have temporary adverse impacts on vehicle travellers.

The only NMU facility within the scheme is a single layby which is being closed for safety reasons and there are no properties or other community assets with connectivity to the scheme extents. Moreover, TM will only be in place for up to two weeks and will follow any network restrictions as outlined by Transport Scotland. There will be no local access restrictions to residential properties.

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

- The works schedule and any changes to this will be communicated to local residents prior to and throughout the programme.
- Appropriate provisions / measures will be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- Journey planning information will be available for drivers online at the 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

There is potential for temporary impacts on the water environment due to operation of plant within the road drainage channel and within proximity to watercourses, which may lead to 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). No works out with the managed road drainage channels will take place and there is no requirement for the abstraction or transfers of water from, or discharges to, a waterbody. As such, the potential for a direct pollution incident within a waterbody is unlikely. Experience gained from BEAR Scotland maintenance schemes elsewhere on the network has shown that where standard good working practice is adopted (e.g., adherence to SEPA good practice guidance, utilisation of drain covers or similar, etc.), water quality is protected.

The works may result in potential direct or indirect effects on surrounding waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- The scheme will not entail any in-stream works.
- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works in or near water will be detailed in the SEMP and adhered to on site.
- No discharges into any watercourses or drainage systems will be permitted. Appropriate containment measures will be in place to prevent any loss of construction materials into the water environment.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills will be logged and reported. In the event of any spills into the water environment, all works will stop and the incident 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 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 waste.
- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded then drip trays will also be supplied beneath the equipment with a capacity of 110%.

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

Climate

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

- BEAR Scotland will adhere to their Carbon Management Policy.
- Where possible, the works will be undertaken utilising a daytime work pattern to reduce the requirement for additional lighting.
- Local contractors and suppliers will be used as far as practicable to reduce fuel use and greenhouse gas emitted as part of the works.

Vulnerability of the project to risks

Due to the improving of existing drainage, there will be a reduction in the likelihood of flooding on the A87 within the scheme extents upon completion of the works.

Works are restricted to areas of previously-engineered ground within the A87 carriageway boundary (including surface, layby, and adjacent drainage ditch), with access to the scheme gained directly via the A87. TM will employ lane closures facilitated by temporary traffic lights. No properties or NMU facilities lie within proximity to the works. Pedestrians or other NMUs will be accommodated within the TM setup.

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 Highland Council Planning Portal (Map Search) identified no approved planning applications within 300m of the scheme.

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 traffic management. 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 traffic management to complete multiple schemes at once. This approach allows BEAR Scotland to effectively manage the potential cumulative effects as a result of traffic management, resulting in minimal disruption to users of the Scottish trunk road network.

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. In addition, as noted within this Record of Determination and the HRA which was carried out, there are no likely significant effects on the designated site located within the scheme extents.

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

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

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, reference

to consultations undertaken and review of available information has not identified the need for a statutory EIA.

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

Characteristics of the scheme:

- Works are restricted to a 300m stretch along the A87 trunk road.
- Works are not expected to result in significant disturbance to nearby receptors or protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Residual impacts are considered to beneficial for the travelling public due to the increased safety as a result. In addition, road drainage along the scheme will be improved.

Location of the scheme:

- The scheme is located within previously engineered areas of the A87 trunk road corridor and as such no land take will be required.
- The scheme lies within the Cuillins SPA. An HRA was carried out which concluded that there is no potential for LSE on the SPA as a result of the proposed works.
- The scheme does not lie within any sites of historical, cultural, or archaeological significance and no properties or NMU facilities are present.
- The site compound/storage area will be located on made ground.

Characteristics of potential impacts of the scheme:

- Measures will be in place to ensure appropriate removal and disposal of waste. No peat will be removed from site.
- No INNS have been recorded within the scheme extents and there is little potential for protected species due to the absence of suitable habitat.
- The SEMP will include plans to address environmental incidents.
- 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.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.

References of supporting documentation

F565 Habitats Regulations Appraisal Proforma A87 Luib Slope Failure (23-NW-0902-12). BEAR Scotland, 2024.

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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