A83 Rest and Be Thankful

MTS EIAR VOLUME 4, APPENDIX 6.2 – SUMMARY OF SCOPING CONSULTATION RESPONSES

Transport Scotland

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A6-2. Summary of Scoping Consultation Responses

A6-2.1. Introduction

A6-2.1.1. This appendix contains a summary of the key environmental input provided by the A83 Environmental Steering Group (ESG) through the consultation process described in Volume 2, Chapter 6: Consultation and Scoping.

A6-2.1.2. Tables A6-2.1 to A6-2.5 provide a summary of the A83 ESG comments on the Environmental Impact Assessment (EIA) Scoping Report in relation to the Proposed Scheme and the responses to this consultation.

Table A6-2.1 – Summary of Environment Consultee Feedback – Scottish Environment Protection Agency (SEPA)

Summary of Feedback	Response
To avoid delay and potential objection the EIA submission must contain a series of scale drawings of sensitivities, for example Groundwater Dependent Terrestrial Ecosystems (GWDTE), overlain with proposed development. This is necessary to ensure the EIA process has informed the layout of the development to firstly avoid, then reduce and then mitigate significant impacts on the environment.	Noted, the assessment of GWDTEs and associated figures is covered within Chapter 8: Geology, Soils and Groundwater with associated figures in Volume 3 of the EIA Report.
Please note that some of the planning guidance referenced in this response is being reviewed and updated to reflect the National Planning Framework 4 (NPF4) policies. For example the Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems. It still provides useful and relevant information, but some parts may be updated further in the future.	Noted.
Groundwater Dependant Terrestrial Ecosystems (GWDTE) Given the topography of the site we would expect the area to prominently feature GWDTEs. The applicant agrees there are GWDTEs on site but judges that these are mainly maintained by direct rainfall and surface water flow and so they will be unaffected by the A83 MTS proposal. We would highlight that if this area is groundwater fed, it could easily be cut off by excavation and increased load on the land/soil compaction. Therefore at this stage, we cannot agree with this issue being scoped out of detailed consideration. We request the	The MTS EIA Report has incorporated the assessment of potential GWDTE and associated impacts during construction and operational phases. The assessment is detailed in Chapter 8: Geology, Soils and Groundwater with figures displayed in Volume 3 of the EIA Report.

Summary of Feedback	Response
provision of evidence that the GWDTEs are actually surface water fed, or an explanation of how the local hydrology will be maintained	
Groundwater abstractions (private water supplies) (PWS). We note within the scoping report that the presence of PWS is mentioned, however no further information is provided and it is not clear whether these are groundwater supplies. The EIA must identify all groundwater abstractions within 100m radius of all excavations less than 1m in depth or 250m radius of all excavations deeper than 1m, in order to assess potential risk. The survey needs to extend beyond the site boundary where the distances require it. If the minimum buffers cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice and the minimum information we require to be submitted	AWJV can confirm that no groundwater abstractions are present within 250m of the Proposed Scheme. There is a single private water supply (PWS) located downslope, serving the High Glen Croe property. However, the High Glen Croe PWS has been confirmed by the landowner as abstracting from a stream channel close to the property. Further discussions shall be held with the landowner, in advance of construction, to agree a suitable temporary or permanent alteration to this supply source to minimise risk of disruption during the construction and operation of the Proposed Scheme.
Water Quality The proposals will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). SEPA Water Permitting have been in discussions with the consultants, including regarding scoping activities, authorisation levels and what will require permitting. On the basis of the information available at this stage, we are content that issues of water quality will be adequately addressed through the appropriate	Noted.

Summary of Feedback	Response
regulatory framework, and may be scoped out of detailed consideration within the EIA. We would highlight the importance of high quality design and construction, that retains as far as possible the natural morphological characteristics of the affected river and the catchment in general. During the construction phase, appropriate drainage measures should be implemented and construction methodology should where possible have as little impact as possible and provide some continuity to the affected part of the water environment. Many of the waterbodies being engineered are steep and/or do not have fish populations present but design must take cognisance of potential impacts on the Croe Water main river system.	
Peat/Carbon Rich Soil (CRS) There may be some areas of peat affected by the road widening, but these are likely to be limited in extent and depth. We would request that the CEMP include provision for sensitive handling of CRS (and, if it is found, peat).	If encountered, handling and temporary storage of peat/CRS will be minimised. Information about the handling of any peat/CRS arisings will be documented in the Soil and Peat Management Plan and Materials Management Plan (to be produced by the Contractor as part of a CEMP) as detailed within Chapter 4: The Proposed Scheme.
Flood risk Provided watercourse crossings are designed to accommodate the 1 in 200 year event plus climate change and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk.	Regarding the flood risk associated with the MTS, the approach with respect to the design standard for culverts reflect Transport Scotland's objective to improve the operation, resilience and safety of the OMR in the context of this being a temporary diversion from the A83 carriageway, whilst the LTS is developed, constructed and put into operation.

Summary of Feedback	Response
	There are 32 existing culverts under the OMR, varying from 0.3 - 0.9m diameter. Their condition varies according to the sediment load in the watercourses and their exposure to high velocity flow. An assessment has been undertaken of culvert capacity to identify the potential to upsize culverts to improve the resilience of the OMR during high flow events. In light of the fact that the MTS is being assessed on the basis of an expected operational timeframe of approximately eight to ten years, our intent is to apply a proportionate approach and betterment to the existing MTS culverts: • culverts to be upsized to all convey the 50 year design flow; • catchpits will be located at inlets to allow large bed load to drop out during flood events, for removal at a later date; and • freeboard allowance of D/4 applied. This strategy seeks betterment, whilst avoiding large scale changes in road alignment, with associated requirements for extensive earthworks and channel engineering and their consequential potential impacts, given that the MTS has been designed for use whilst A83 mainline is closed. A number of consultation meetings have been held with SEPA representatives, where this proportionate approach to betterment has been advocated and received supportive feedback. This included the event on 21 March 2024 where OMR improvements were outlined with respect to CAR consenting. Subsequently, on 26 April 2024 a spreadsheet detailing the proposed works, information

Summary of Feedback	Response
	about each of the watercourse interventions, baseline character, modelled flows and initial CAR licencing considerations was issued for SEPA's review, with responses provided on 14 June 2024. CAR licence CAR/S/5006569, was approved by SEPA, with site works completed earlier in 2024 to improve the flood resilience of the OMR. This involved installation of a new culvert, enabling realignment of an existing section of the OMR from the 30 year flood plain to the 50 year flood plain, with the culvert designed to this standard. This licence application and supporting information is anticipated to be used as a template for further CAR applications for the improved resilience of OMR culverts, subject to MTS consent.

Table A6-2.2 - Summary of Environment Consultee Feedback - NatureScot

Summary of Feedback	Response
Following receiving the MTS EIA Screening / Scoping Report for comment, NatureScot provided written feedback via email stating the following: "*We are content with the content of the proposed MTS scoping report. As we provided comments at the pre-scoping stage and all these were incorporated into the final scoping report, we have no further comments to add*".	Noted.

Table A6-2.3 - Summary of Environment Consultee Feedback – Loch Lomond and The Trossachs National Park Authority

Summary of Feedback	Response
It is unclear from the scoping report the length of time the proposed temporary measures will be for, and it is also unclear how temporary the proposed upgrades are. We require more clarity on the anticipated timescales for the proposed works. It would be particularly helpful to understand the intended duration of the proposed HESCO bund.	The proposed temporary measures are intended to provide interim improvements until the Long-Term Solution (LTS) can be delivered providing a permanent intervention. For the purposes of the assessment, a 10 year duration has been considered. This may prove to be shorter should quick delivery of the LTS be realised, or longer, if for example, there is a need for a Public Local Inquiry as part of the statutory process. Following completion of the LTS, the improvements provided by the HESCO barrier will no longer be required. At this point, it could be removed.
It is considered that there are likely to be significant effects on the Special Landscape Qualities (SLQs) of the National Park, the Landscape Character and Visual Amenity. Furthermore, we consider that there will be potential significant cumulative effects to the Special Landscape Qualities of the National Park and the Landscape and Visual Amenity. Therefore, Landscape and Visual Effects are required to be scoped in, and also included in the cumulative assessment. We have based this advice on the scale of the current engineering works with the proposed OMR and A83 upgrades which will create an accumulation of increasingly significant ground engineering work. Similarly, there will be an accumulation of construction phases and associated infrastructure.	Landscape and visual impact have been scoped into the assessment. The assessment has considered the SLQs of the National Park, the landscape character and visual amenity and are reported in Volume 2, Chapters 9 Landscape and 10 Visual Effects.
The proposed groundworks and extension to the HESCO bund are considered to have a greater potential impact than that assessed. The	The HESCO barrier extension and the proposed bund will be included in the landscape and visual assessment. The

Summary of Feedback	Response
information provided at this stage does not include sections or imagery to demonstrate the extent of these operations. The plans show groundworks with a uniform appearance and a straight-line plateau across the top which would look unnatural within the landscape. It is considered that these works have the potential to significantly impact on the wild characteristics of the glen and the special qualities of the National Park.	proposed bund is flat on the top to facilitate maintenance access to clear debris from behind the bund. It will be explored at Specimen Design stage whether the form of the proposed bund can be altered, such as introducing land forming to soften the straight lines and give a more natural appearance, if an alternative maintenance access can be designed.
Alternative Design Options The assessment should demonstrate exploration of alternative, road design, scale, width style and type based on analysis of SLQs, landscape character, visual amenity and cumulative effects.	Alternative options were considered as reported in Volume 2, Chapter 3 Alternatives Considered, which included different routes through the glen, and this process considered landscape and visual receptors. The current preferred design will explore alternative details to the design at the specimen design stage.
The assessment should encompass the potential effects of any associated infrastructure such as: • Debris catch fences (length stated as 400m). • HESCO and earthwork bunds (length stated as 150m in addition to the current 180m, height is not stated and should be clarified). • Widening of the existing OMR in sections to a two-way carriage (width not stated). • Target widening of sharp bends: - Bend 1: 1.5m of bridge widening - Bend 2+3: require widening to be localised • Junction improvements	These elements have been considered as part of the Landscape and Visual Impact Assessment process as reported in Volume 2, Chapters 9 Landscape and 10 Visual Effects.

Summary of Feedback	Response
• Improved drainage and culverts/maintenance ditches. • Temporary bridge over Croe Water • Signage/road markings/speed control measures • Lighting • Offices • Tree and vegetation removal	
Stages of the development All stages of the construction will be required to be assessed. This should include lighting, temporary site offices etc. during construction and the operational phase. The assessment would be expected to cover effects after 1 year of completed construction. The uncertainty of length of operational period and dismantling and restoration should be stated and assessed for residual effects and mitigation and enhancement measures.	These stages and elements have been considered as part of the Landscape and Visual Impact Assessment process. They have been assessed at the WY1 and SY15 in line with Design Manual for Roads and Bridge (DMRB) LA 107 (LA 107) Landscape and visual effects, which has been based on the Guidelines on Landscape and Visual Impact Assessment (GLVIA) 3rd edition.
Special Landscape Qualities (SLQs) An assessment of effects on the SLQs will be required. The assessment should allow an understanding of how the SLQs are expressed and the experience of SLQs from the distinct routes/paths/key locations potentially effected and provide a stronger understanding. NS/LLTNP&CNPA have jointly published a consultative draft guidance to assist in assessing the effects of a proposal/ landscape change on the Special Landscape Qualities. The Special Landscape Qualities that are likely to be affected for this proposal are:	The SLQs and Argyll Forest Qualities have been assessed as reported in Volume 2, Chapters 9 Landscape and 10 Visual Effects.

Summary of Feedback	Response
General Qualities: • A world-renowned landscape famed for its rural beauty • A wild and rugged highlands contrasting with pastoral lowlands • Famous Through Routes • Tranquillity • The easily accessible landscape splendour Argyll Forest Qualities: • A remote area of high hills and deep glens • Variety of Glens • The Dramatic pass of Rest and Be Thankful	
Visual and Visual Amenity effects The visual assessment should follow GLVIA 3rd edition. A ZTV should be provided, and provisional viewpoints selected. Channelled views up and down Glen Croe from the A83, Viewpoint and carpark, hilltop views and the OMR. Note: currently the OMR is used as a traffic free route through Glen Croe by cyclers and walkers.	The visual assessment follows DMRB LA 107. This has been based on GLVIA 3rd edition guidance. A ZTV has been provided (Volume 3, Figure 10.2 – Zone of Theoretical Visibility). Viewpoints that capture views of the OMR looking in different directions and elevations have been identified. The viewpoints consider cyclists and walkers as well as vehicles using the OMR during diversions when the A83 is closed.
Landscape Character The landscape assessment should follow GLVIA 3rd edition. The OMR sits in the Upland Glens with Highland Summits on both sides. Settled Coastal Fringe is to the southeast arrival and departure to Glen	The landscape assessment follows DMRB LA 107 Landscape and visual effects. This has been based on GLVIA 3rd edition guidance.

Summary of Feedback	Response
Croe and Steep Ridges and Mountains is to the north west arrival and departure to Glen Croe. The NS Landscape Character Assessment 2019 should be considered alongside the Evolution and Influences published report. https://www.nature.scot/professional-advice/landscape/landscape-character-assessment/scottish-landscape-character-types-map-and-descriptions Landscape Character Assessment: Loch Lomond and the Trossachs - Landscape Evolution and Influences | NatureScot The existing characteristics of the OMR should be focused on. The impact of the existing scale of the HESCO should be considered, clearly stating its status, temporary or permanent and the effects that the proposed additional 150m HESCO will have on the character of the OMR and the glen. Alongside the widening of road to two carriage way and widening of the characteristic bends. If HESCO bunds are to be used, careful design to fit with and respond with the local topography and existing historical shape of the OMR and vegetation establishment should be considered. Similarly, use of won rock material should be used to mitigate.	NatureScot 2019 dataset has been used for the landscape character types. References to the additional guidance has been noted and considered within the EIA Report. The HESCO barriers has been assessed in terms of the existing as detailed in Volume 2, Chapter 4: The Proposed Scheme.
Cumulative Assessment The cumulative assessment should follow GLVIA 3rd edition.	The cumulative assessment follows DMRB LA 107 Landscape and visual effects. This has been based on GLVIA 3rd edition guidance.

Summary of Feedback	Response
Recreation Whilst we agree that access for recreation users is unlikely to be scoped into the EIA it would be useful to provide evidence of the number of users who are expected to be impacted to evidence this conclusion.	It is recognised that the Old Military Road is an informal and attractive route for WCH owing to the low traffic numbers along it. This route will effectively be closed for WCH users during construction works and users of the route will be convoyed through the construction area. In adopting a precautionary approach, the EIA then scopes into the assessment consideration of Physical Activity / Walking Cycling and Horse Riders. User surveys for select routes were undertaken and recorded in the Walking, Cycling and Horse-Riding Assessment Report (WCHAR).
Biodiversity, Geology, Soils and Groundwater We agree that the proposed level of works do not appear to require biodiversity and ecological impacts to be scoped in. We would expect to see the normal baseline survey work with the application alongside draft mitigation measures. We would also expect to see more recent groundwater investigation data to form the basis of conclusions.	As biodiversity has been scoped out of the EIA process (as also agreed with NatureScot through the screening / scoping process) no ecological reports for the standalone MTS have been produced. However, ecological reports have been prepared for the wider Long-Term Solution (LTS) which will be published and which encompass the OMR interventions. This, ecological information specific to the MTS will be provided to the Appointed contractor upon approval of the scheme. In relation to groundwater, emerging data indicates the water table adjacent to the OMR to generally be in excess of 1.5m below ground level. At the request of SEPA, GWDTE have been scoped in, with further information supporting their assessment provided in Volume 2, Chapter 8, Geology, Soils and Groundwater. Additional groundwater data shall

Summary of Feedback	Response
	be generated by ongoing ground investigation (GI) works, which will aid the detailed design process.
The scoping report mentions woodland and tree planting. It is currently unclear the scale of tree removal. The LLTNP Trees and Woodland Strategy (TWS) should be used to assist with new planting. The TWS provides a landscape toolkit and Landscape Capacity study. https://www.lochlomond-trossachs.org/wp-content/uploads/2019/11/Trees_woodland_2019_2039.pdf https://www.lochlomond-trossachs.org/wp-content/uploads/2019/04/appendix-1-PS.pdf https://www.lochlomond-trossachs.org/wp-content/uploads/2019/04/Landscape-capacity-study-PS.pdf Protection measures such as fencing to establish new woodland should follow best practice, and work with the topography, landscape and removed once woodland is established.	Tree removal for the purposes of construction of the proposed changes is limited; there is a single tree at chainage 1400 and some scattered trees will likely require to be removed from the upper extents of some of the watercourses between the A83 and the OMR to facilitate geotechnical solutions for stability. Landscape mitigation planting is proposed. An area of approximately 3.06ha of Sitka spruce woodland will be removed as part of proposed biodiversity enhancements. The area will be planted with native broadleaved woodland, targeting an open canopy woodland, with the species mix agreed with Forestry Land Scotland (FLS). Fencing will be installed to allow the new woodland to establish (the design details for the fencing will be agreed with FLS).

Table A6-2.4 – Summary of Environment Consultee Feedback – Scottish Forestry

Summary of Feedback	Response
We have considered this proposal alongside the UK Forestry Standard (UKFS), Scottish Government's policy on control of woodland removal (2009), and NPF4 Policy 6 and advise that these all apply to this proposal.	Noted, each of the points raised has been responded to below.
If I understand correctly, there are no tree felling or works required directly as a result of the infrastructure proposal, however, there are proposals for Biodiversity Net Gain Natural capital Areas within Section 2.4 of the MTS SCREENING / SCOPING REPORT. In particular Site 1 & 3a.	There is potential for one tree to be felled (our ref. BT4) adjacent to the OMR at chainage 1400. Our records show this is a mature ash tree. This is because the works associated with the improvements to the OMR are likely to affect the root zone. There is also likely to be some felling of scattered trees near the watercourses between the A83 and the OMR. This is to facilitate potential engineering solutions associated with ground stability on the upper extents of some of these watercourses. Mitigation planting of scattered trees will be undertaken as a result of this. NPF4 Policy 6 has been checked but these trees are not part of the Ancient Woodland Inventory, veteran trees or offer have high biodiversity value (for information around biodiversity value please see NPF4 policy 6 statement below). These minor changes are not likely to result in a need for landscape and visual assessment to be scoped in to the EIA.
Site 1 proposals include replacing current poor sitka spruce woodland with native broadleaves. The proposal includes removal of stumps, needle litter and brash. The EIA should consider the balance between the soil disturbance that would result from stump removal against any	The precise details of the woodland removal will be detailed within a Woodland Creation and Habitat Management Method Statement and which will be agreed with FLS, this

Summary of Feedback	Response
environmental gain. The method for removal of litter and brash should also be detailed, including whether this will be whole tree extraction and where / how the trees will taken / used. At first reading it would seem unnecessary to remove the stumps with resulting soil disturbance (see p105 of UKFS and there are additional references to stump removal and whole tree harvesting throughout the UKFS document)	will follow UKFS. Measures to ensure soil disturbance is kept to a minimum will be followed.
The Scottish Government's policy on control of woodland removal (2009) (The Policy), should be considered. Guidance on how to apply the Scottish Government's policy on control of woodland removal gives more detailed information. From my reading of the proposal, there will be no overall woodland loss, perhaps a slight gain. Woodland type will change within site 1 and 3a. (Although I am not quite clear if the proposal is to remove the small area of existing conifers within Site 3a. or just further natural regeneration). Consideration to the Policy should be given within the EIA, which should also quantify any woodland loss / gain / change. Scottish Forestry would seek to secure any compensatory planting required through a consent condition.	There is potential for one tree to be felled (our ref. BT4) adjacent to the OMR at chainage 1400. Our records show this is a mature ash tree. This is because the works associated with the improvements to the OMR are likely to affect the root zone. There is also likely to be some felling of scattered trees near the watercourses between the A83 and the OMR. This is to facilitate potential engineering solutions associated with ground stability on the upper extents of some of these watercourses. Mitigation planting of scattered trees will be undertaken as a result of this. NPF4 Policy 6 has been checked but these trees are not part of the Ancient Woodland Inventory, veteran trees or offer high biodiversity value (for information around biodiversity value please see NPF4 policy 6 statement below). These minor changes are not likely to result in a need for landscape and visual assessment to be scoped in to the EIA. Within Site 1, non-native woodland will be removed and replaced with native broadleaves. Within Site 3a, the proposal is to remove the small area of existing non native conifers and replace with native broadleaves.

Summary of Feedback	Response
In addition NPF4 policy 6 states: b) Development proposals will not be supported where they will result in: i. Any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition; ii. Adverse impacts on native woodlands, hedgerows and individual trees of high biodiversity value, or identified for protection in the Forestry and Woodland Strategy; c) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered. The EIA screening scoping document does not highlight any of the impacts above, however, it is important to remember that impacts can occur from proximity of infrastructure works. NPF4 mitigation hierarchy should be applied clearly within the EIA, where there is likely to be any impact on ancient woodland, veteran trees or hedgerows.	A single confirmed bat tree roost (our ref. BT4) is at risk of being lost during the construction phase. A single bat (pipistrelle species) was recorded emerging from the roost. While this is a loss of roosting opportunity for bats, this loss will be compensated as part of the embedded mitigation. The tree supports a non-breeding day roost belonging to low numbers of a common and widespread bat species. The tree is not of ancient or other veteran status. Taking this into account, this tree does not constitute a feature of high biodiversity value. Efforts will continue during detailed design to reduce losses further if possible. Indirect impacts such as dust and water quality changes or accidental incursion outside the working areas will be mitigated through measures to be set out in the project CEMP. No impacts on other features mentioned in NPF4 Policy 6b are anticipated.

Table A6-2.5 - Summary of Environment Consultee Feedback – Historic Environment Scotland

Summary of Feedback	Response
We welcome the consideration given to the potential for significant effects on the historic environment baseline presented in Table 3.1. We are content to agree with both the reported baseline and the findings that, in relation to historic environment assets within our remit, any effects on heritage assets are unlikely to be significant.	Noted.
In light of the above we are content for the cultural heritage topic be scoped out of the assessment. As the commentary notes, a programme of archaeological mitigation prior to construction will ensure that significant effects are avoided. We therefore welcome the commitment noted in Section 4.2.2 to include a best practice and embedded mitigation measures for topics scoped out of assessment in the EIA Report.	Noted. The mitigation measures detailed in Chapter 12: Schedule of Environmental Commitments include avoidance of features and recording in advance of construction activity.