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Environmental Impact Assessment Record of Determination

A95 Bridge of Avon- Bridge Refurbishment

Contents

Project Details

Description

The scheme is required to maintain the safety and integrity of the A95 Bridge of Avon, located at Bridge-end, Ballindalloch, due to the many parts of the bridge reaching the end of serviceable life. The bridge expansion joints (BEJ) are rusted, and the sealant is detached which is allowing water to seep through. Water is sitting on the bearing shelf and trickling down the wing walls and abutments causing staining. There is a loss of surface texture in isolated areas across the carriageway with minor potholing throughout which has meant several patch repairs have been required. The concrete staircase is severely spalled throughout and requires repairs to be carried out.

Construction activities will entail the following:

- Installation of Traffic Management (TM);
- The carriageway surfacing will be planed;
- Footways and kerbs will be broken out;
- The existing waterproofing will be scraped off and the bridge deck will be checked for any concrete repairs;
- The uplink joint rails will be cut off for the new joint to sit on the existing plates;
- Resurfacing of the carriageway to the existing road levels using TS2010 10mm aggregate (site class 1 & 3), AC20 binder and AC32 base; and
- Removal of TM.

The following (but not limited to) plant/machinery/vehicles may be used throughout the scheme:

- Planer;
- Breakers;
- Vacuum excavation for gas main;
- Bitumen tank;
- Extrusion liner;
- Paint tanker;
- 2 CX excavator/pecker;
- Paver;
- Roller(s); and

- Wagon(s).

The proposed construction is programmed to be completed in February 2025 with works lasting approximately six weeks. The works are proposed to be undertaken during daytime hours only.

TM will likely be utilised in the form of single lane closures with temporary traffic lights and the total areas of works is estimated to be approx. 585m^2.

Location

The works are located on the A95 carriageway on the Bridge of Avon, Ballindalloch, Moray over a length of 30m with an approx. area of 585m^2. The works are also located above the River Spey Special Area of Conservation (SAC). The National Grid Reference (NGR) for the scheme is detailed below and illustrated in Figure 1:

Scheme Location: NJ 18321 35830

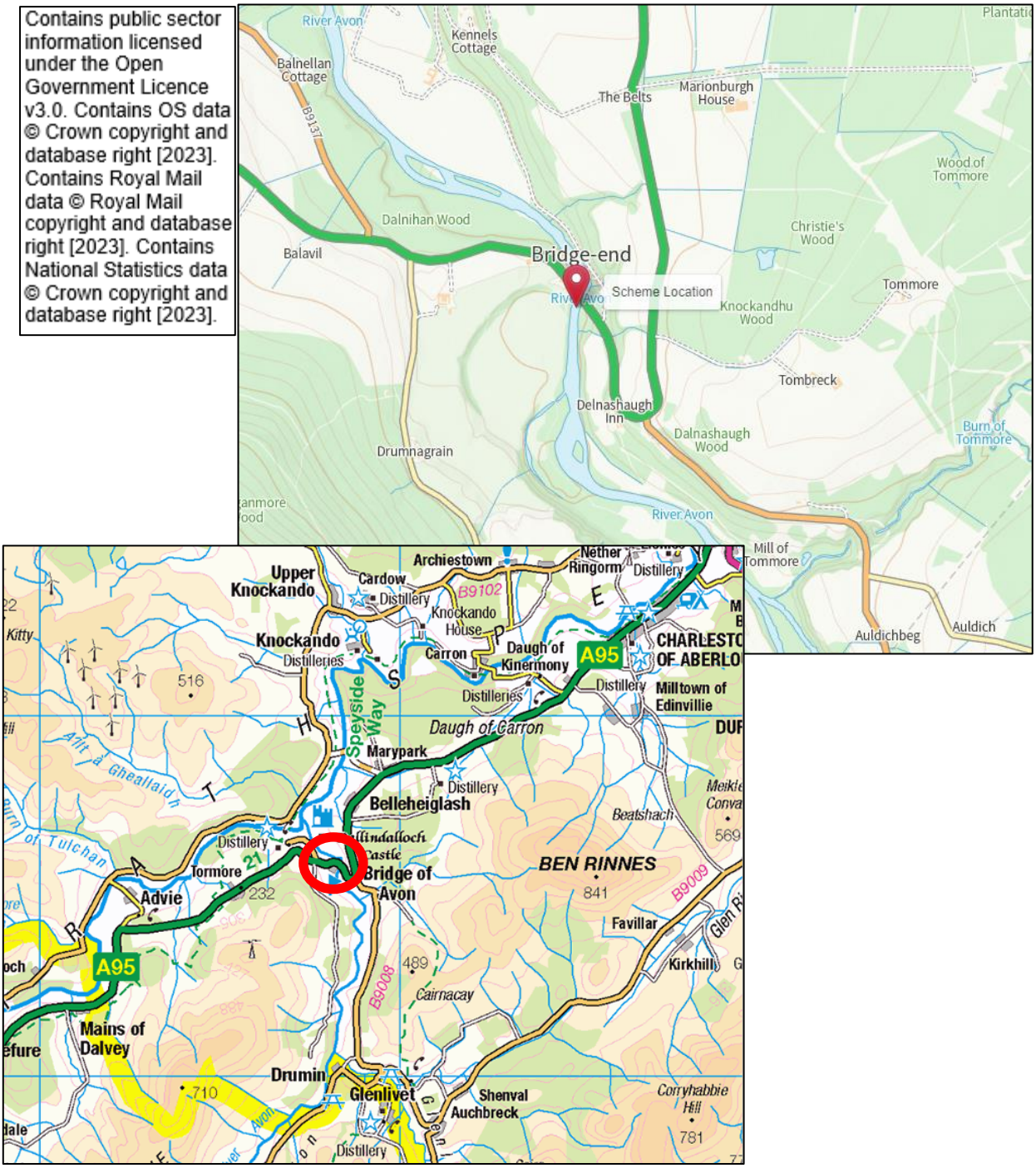

Figure 1. Scheme Location.

Description of local environment

Air quality

The works are located on the A95 carriageway within the rural setting of Moray in the northeast of Scotland. The area is surrounded mostly by areas of agricultural land use, managed woodland and a large golf course. Local air quality is likely to be influenced by vehicular traffic from the A95 carriageway.

There are three residential properties within 300m of the works, with the closest property being the Ballindalloch Post Office/house which is located approximately 30m northwest of the works.

Ballindalloch Castle Golf Course is located approximately 70m west of the works.

The Annual Average Daily Flow (AADF) in 2023 for the main A95 carriageway outside the scheme extents accounted for 2,461 vehicles, with an average of 15.1% Heavy Goods Vehicles (HGV). (automatic count point 30867).

This scheme does not fall within an Air Quality Management Areas (AQMA).

No sites registered on Scottish Pollutant Release Inventory (SPRI) have been identified within 1km of the scheme.

Cultural heritage

A desktop study using PastMap has identified two designated features of cultural or historical significance within 200m of the works location. The details of these are as follows:

- Ballindalloch, Bridge of Avon Over River Avon (Ref- LB8462) Category A listed structure located approximately 40m north of the works; and
- Ballindalloch Castle, Gate Lodge and Entrance Arch (Ref- LB846) Category B listed building located approximately 70m northeast of the works.

The following non-designated features of cultural heritage have been identified within 100m of the works:

- New Bridge of Avon (Ref- NJ13NE0127) (location of the works); and
- Ballindalloch Castle and grounds (Ref- NJ13NE0004) is a fortified tower house located on the east side of the River Avon which the bridge and A95 carriageway run through.

All works will be located within the existing carriageway boundary and will not impact any areas of land that have not previously been subjected to engineering activity. The works will be like for like in nature and will have no change to current visual setting of the listed structures.

It has been determined that the proposed scheme does not carry the potential to cause direct or indirect impact to cultural heritage as the works will be like for like and maintain the existing structure which is a HER. As such, impact has been assessed as being 'no change' and cultural heritage has therefore been scoped out of further assessment.

Landscape and visual effects

The A95 carriageway within the scheme extents is only visible from one residential property (Ballindalloch Post Office/house) at the scheme's northern extent however, the 'cut' of the carriageway and natural screening including woodland and scrub limit the visibility of the carriageway from the surrounding residential areas.

The surrounding landscape has been classified as rectilinear fields and farms and urban areas using the HLA Map.

A desktop study using PastMap online interactive map and NatureScot's Sitelink resource has not identified any areas designated for their landscape quality within, or within 1km of the scheme extents.

NatureScot's Landscape Character Type mapping resource has indicated the landscape character present within the scheme extents to be that of 'Upland Valleys'. Scotland's Land Capability for agriculture map lists the area surrounding the scheme extents as 3.2 on the land capability for agriculture class scale.

Scotland's Ancient Woodland Inventory (AWI) has identified an area of 'Ancient (of semi-natural origin)' woodland surrounding the scheme's southern extent within, and beyond the verge areas of the A95 carriageway. No Tree Preservation Orders (TPOs) have been identified adjacent to, or within 1km of the scheme extents.

Views of, and from the carriageway will be temporarily affected during construction due to the presence of works, TM and plant. As the works are minor and operating on a like-for-like basis, no permanent changes to landscape features are predicted.

The works will be restricted to the existing carriageway boundary and will not impact upon the surrounding landscape. As such, impact to local landscape has been

assessed as being 'no change' and has been scoped out of requiring further assessment.

Biodiversity

The immediate area surrounding the scheme extents contains areas of low-lying vegetation (such as grasslands) and an area of mature woodland and scrub to the south and east of the scheme.

Scotland's Ancient Woodland Inventory (AWI) has identified an area of 'Ancient (of semi-natural origin)' woodland surrounding the scheme's southern extent within, and beyond the verge areas of the A95 carriageway. No Tree Preservation Orders (TPOs) have been identified adjacent to, or within 1km of the scheme extents.

A desktop study using NatureScot's Sitelink resource has identified the River Spey Special Area of Conservation (SAC) which is located directly beneath the bridge.

The River Flows from its source in the Monadhliath Mountains, through the Cairngorms National Park and out into the Moray Firth and flows directly beneath the bridge structure where the works are taking place.

Due to the works taking place above this SAC, a Habitats Regulations Appraisal (HRA) has been undertaken.

Amey's Northeast Casualty Database has not identified any wildlife casualties within 1km of the scheme extents.

The NBN Atlas mapping resource has not identified the presence of Invasive Non-Native Species (INNS) within 1km of the scheme extents.

Amey's Environment Teams Northeast INNS Map has not identified the presence of INNS within (or within 1km) of the scheme extents.

An ecological walkover survey was undertaken on 20th April 2023 to identify any habitats or species constraints or opportunities. Further camera trapping surveys were undertaken and ended August 2024.

Geology and soils

The National Soil Map of Scotland lists the soils surrounding the scheme extents as Humus-iron podzols.

A desktop study using NatureScot Sitelink has not identified any Geological Conservation Review Sites (GCRS) or SSSI's designated for their geological features within 2km of the scheme extents.

A desktop study using the British Geological Survey Map has identified the local geology types as the following:

Bedrock Geology:

Tormore Psammite Formation - Psammite. Metamorphic bedrock formed between 1000 and 541 million years ago between the Tonian and Ediacaran periods.

Superficial Deposits:

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

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

Material assets and waste

The proposed scheme does not require a Site Waste Management Plan (SWMP).

Table 1. Key materials required for activities.

Activity	Material Required	Origin/ Content
Site construction	• TS2010 surface course; • AC32 base; • AC20 binder; • Bitumen; • Road paint; • Road studs; • Concrete for steps; and • BEJ material: • Metal joint • Nosing mortar	A proportion of reclaimed asphalt pavement (RAP) is used in asphalt production. Typical RAP values for base and binder are 10% -15% with up to 10% in surface course. TS2010 surface course allows a wider array of aggregate sources to be considered when compared to typical stone mastic asphalt (SMA). As a result the use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources.

Table 2. Key Waste arising from activities.

Activity	Waste Arising	Disposal/ Regulation
Site construction	• Road planings; • Studs; • Road kerbs; and • Old BEJ.	On-site investigations of the carriageway (including coring and testing) have yet to be undertaken. Any tar-contaminated planings (if produced) will require removal off site for treatment/disposal at a licenced waste facility. Uncontaminated road planings generated as a result of the required works, will be fully recycled in accordance with the criteria stipulated within SEPA document 'Guidance on the Production of Fully Recoverable Asphalt Road Planings'.

Noise and vibration

The works are located within the rural setting of Ballindalloch, Moray, surrounded mostly by areas of agricultural land use and ancient woodland with small areas of residential.

The AADF in 2023 for the main A95 carriageway just outside the scheme extents (site no. 30867), accounted for 2,461 vehicles, with an average of 15.1% HGV. Baseline noise conditions at this location are likely influenced primarily by traffic travelling along the A95. Noise Map Scotland does not hold any data for this area.

There are three residential properties within 300m of the works, with the closest property being the Ballindalloch Post Office/house which is located approximately 30m northwest of the works. Due to their close proximity to the scheme, these properties are classified as Noise Sensitive Receptors (NSRs).

Ballindalloch Castle Golf Course is located approximately 70m west of the works.

No other NSR's have been identified within 300m of the works.

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

Population and human health

There are six residential properties within 500m of the works location, with the closest property being the Ballindalloch Post Office/house which is located approximately 30m northwest of the works.

Ballindalloch Castle Golf Course is located approximately 70m west of the works and The Delnashaugh Inn is located approximately 383m south of the works.

Pedestrian footways are located on both sides of the bridge for the full scheme length.

The A95 carriageway within the scheme extents is not street-lit.

Core path ID: CP-SW05 is located on the A95 within the scheme extents.

There are no national cycle routes are located within 500m of the works.

Road drainage and the water environment

A desktop study using the SEPA Water Classification Map has identified the River Avon (ID: 23084), located directly beneath the bridge. This watercourse is classified as having 'Good ecological potential' under the Water Framework Directive (WFD).

Road drainage along this section of the A95 consists of top entry gullies.

SEPA's Flood Mapping system has not identified any areas of surface water flooding on the A95 carriageway within the scheme extents, however the River Avon beneath is at high risk (10% chance) of flooding each year.

The scheme is not located within a Nitrate Vulnerable Zone as defined by the Scottish Government.

Climate

Carbon Goals

The Climate Change (Scotland) Act sets out the target and vision set by the Scottish Government for tackling and responding to climate change. The Act includes a target of reducing CO_2 emissions by 80% before 2050 (from the baseline year 1990).

The Scottish Government has since published its indicative Nationally Determined Contribution (NDC) to set out how it will instead reach net-zero by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030. By 2040, the Scottish Government is committed to reduce emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

Transport Scotland is committed to reducing carbon across Scotland's transport network, this commitment is being enacted through the Mission Zero for Transport. Transport is the largest contributor to harmful climate emissions in Scotland. In

response to the climate emergency, TS are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

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

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

Policies and Plans

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

Description of main environmental impacts and proposed mitigation

Air quality

Impacts

- On site construction activities carry a potential to produce airborne particulate matter, dust and generate emissions that may have a temporary impact on local air quality levels and act as a nuisance to nearby residents such as Ballindalloch House.
- TM being implemented during the scheme may result in an increase in associated vehicle emissions through idling vehicles and increased congestion. This may result in a temporary deterioration in local air quality.
- The use of vehicles, plant and generators will result in emissions which will temporarily impact local air quality.

Mitigation

- Best practice and measures as outlined in the 'Guidance on the assessment of dust from demolition and construction (January 2024)' published by the Institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:
    - The site layout will be planned (including plant, vehicles and Non-Road Mobile Machinery (NRMM)) so that machinery and dust causing activities are located away from receptors, as far as reasonably practicable;
    - Materials that have a potential to produce dust will be removed from site as soon as possible, unless being re-used on site (cover or fence stockpiles will be used to prevent wind whipping);
    - Cutting, grinding or sawing equipment will be fitted or used in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems;
    - Drop heights from conveyors and other loading or handling equipment will be minimised;
    - Vehicles entering and leaving the work area will be covered to prevent escape of materials during transport;
    - Equipment will be readily available on site to clean any dry spillages, and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods; and
    - When not in use, plant, vehicles and NRMMs will be switched off and there will be no idling vehicles.

- Plant, vehicles and NRMM will be regularly maintained, paying attention to the integrity of exhaust systems to ensure such fuel operated equipment is not generating excessive fumes.
- Green driving techniques will be adopted, and effective route preparation and planning will be undertaken prior to works.
- Where possible, materials will be sourced locally.
- Surfaces will be swept where loose material remains following planing.

No significant effects are predicted on air quality. Therefore, in accordance with DMRB Guidance document LA 105: Air Quality no further assessment is required.

Biodiversity

Impacts

- An Appropriate Assessment has been undertaken for the works and concluded that there will be no adverse effects on site integrity (AESI) to the River Spey SAC. The proposed scheme involves works to the bridge and will not directly impact the European Site. There will be no long-term disturbance to key species, no habitat or species fragmentation, no reduction in species density, no change in the key indicators and the habitat area of the designated sites will not be reduced as a result of the works. Site specific best practice will ensure no AESI to the European Site due to pollution and noise disturbance.
- The planned works do not require the removal of woodland habitat and therefore the areas of ancient woodland will not be impacted by the works.

Mitigation

- If a protected species is seen on or near the scheme, all works will be stopped until the animal passes by. The Environment team will be contacted for any guidance if required, and the control room will be contacted for environmental record.
- When in use, any artificial light will be directional and directed at the area of works as far as reasonably practicable, reducing any light spill into the wider surroundings, and potentially sensitive habitat (e.g. woodland/structures).
- No vehicles, machinery or materials will be parked/stored on any soft verges.
- Effects from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.
- Operatives will avoid extraneous noise whilst on site and will be briefed using Noise and Vibration briefing.
- A suitably experienced Ecologist will undertake Ecological Clerk of Works (ECoW) duties to supervise the proposed works and ensure that any disturbance

to key species is avoided for the duration of the works. Should any key species be identified within proximity to the proposed works area and/or disturbed during the works, all works will cease immediately.

- Where feasible, the use of screens to form a barrier alongside the Bridge of Avon during the period of the works will address any residual impacts of siltation arising from the proposed works, in order to enclose particulates within the works area and prevent them entering the water course.
- Where feasible, a suitable cover will be secured underneath the bridge between the full extent of the works. Any particulates/materials that may fall from the underside of the bridge as a result of works above the bridge deck will be caught within this cover and prevented from entering the watercourse.
- Good over-river practice will be followed to minimise sediment entering the river, such as ensuring plant and machinery is kept a minimum distance of 3m from the edge of the bridge where possible, particularly when accessing/egressing the bridge, the bankside will not be accessed at any point.

With mitigation measures in place, no significant effects are predicted on biodiversity. Therefore, in accordance with DMRB Guidance document LA 108: Biodiversity, no further assessment is required.

Material assets and waste

Impacts

- The design life for the TS2010 surfacing proposed is estimated to be 20 years. This will reduce the requirement for maintenance to this section of road over the period.
- The works will result in contribution to resource depletion through use of virgin materials.
- Greenhouse gas (GHG) emissions will be generated by material production and transporting to and from site.
- Transportation and recovery of materials/waste will require energy deriving from fossil fuel, a non-renewable source.

Mitigation

- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications to reduce natural resource depletion and associated emissions.
- It is Amey policy to reuse or recycle as much waste material as possible. Where recycling is not feasible, waste material will be removed to a licenced waste facility.
- Materials will be delivered on site at the time of being implemented.

- Any non-contaminated road planings arising from the works will be fully recycled in accordance with SEPA's guidance on the Production for Fully Recovered Asphalt Road Planings.
- Any tar-contaminated planings will be taken off site as special waste for treatment/disposal at a licenced waste facility.
- The Contractor will comply with all 'Duty of Care' requirements, ensuring that any surplus materials or wastes are stored, transported, treated, used, and disposed of safely without endangering human health or harming the environment. All waste transfer notes and/or waste exemption certificates (if required) will also be completed and retained.

Temporary impact during construction is considered negligible adverse, with residual impact considered no change.

With best practice mitigation measures in place, the residual significance of effect on material assets and waste is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and Vibration

Impacts

- TS2010 road surfacing will be utilised, which will reduce mid to high frequencies of traffic noise levels. Nearby receptors may benefit from reduced noise as a result of the scheme.
- Works will be undertaken during daytime programming. As such, residential properties, and community facilities within 300m of the works will not experience noise disturbance during unsociable hours. Temporary increase in noise levels may occur during the day, however the background noise is heavily influenced by traffic noise from vehicles and the high volume of HGVs.
- There are no anticipated permanent impacts on noise and vibration following the completion of works.

Mitigation

- Impacts from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.
- Plant and machinery will be switched off when not in use to reduce noise disruptions to the surrounding environment.
- Engine exhaust and vent silencers will be used where possible.

- Operatives will avoid extraneous noise whilst onsite and will be briefed using the Amey Noise and Vibration environmental briefing.

With best practice mitigation measures in place, the residual significance of effect on noise and vibration is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration no further assessment is required.

Population and human health

Impacts

- TM has potential to cause temporary levels of disruption to road users (i.e. congestion and increased travel times).
- There will be no impact on land take from private land, community facilities or agricultural land as a result of the scheme as all works will be contained within the carriageway boundary.
- The pedestrian footways and core path within the scheme are likely to be impacted during the works with potential restriction of use/access.
- Access to Ballindalloch Post Office/house may be temporarily obstructed during the works.

Mitigation

- TM restrictions/arrangements and any expected travel delays will be publicised within the local and wider area, in an effort to minimise disturbance to vehicular travellers.
- When in place, TM will be monitored to ensure it is effectively managing traffic flow.
- In case of footway closures, operatives will have measures in place to allow pedestrians of all abilities to safely pass by the works. Any pedestrian diversions for the works will be clearly signed and accessible.
- Accesses will remain clear where reasonably practicable. Where any obstruction occurs, operatives will grant local access as required.

Road drainage and the water environment

Impacts

- Potential for spills, leaks or seepage of fuels and oils associated with plant to escape and reach drainage systems if not controlled, which may impact the water environment.

- If not appropriately controlled, debris and runoff from the works has the potential to enter nearby drains and watercourses and could detrimentally impact water quality.
- In the event of a flooding incident, debris may be mobilised and could enter the road drainage having a detrimental effect on the surrounding local water environment.

Mitigation

- Best practice, as detailed by SEPA's Guidance for Pollution Prevention (GPP5 and GPP6), will always be followed onsite. This will ensure that any potential debris/spills are not allowed to enter road drainage unchecked.
- Appropriate measures will be implemented onsite to prevent any potential pollution to the natural water environment (e.g. debris, dust and hazardous substances). This will include, but will not be limited to, spill kits being present onsite at all times, and the use of funnels and drip trays when transferring fuel, and utilisation of drain covers/shielding boards.
- Any pollution incidences will be reported to the Amey control room.
- Operatives will conduct regular checks of the work site, especially in periods of heavy wind and rainfall.
- All debris which has the potential to be suspended in surface water and wash into the local water environment will be cleaned from the site following the works.
- Bunds will be provided around drums up to 205 litres with a buffer of 25% of their capacity, and around bulk storage to a capacity of 110% of the stored fuel/oil.
- All plant and fuel storage at the site compound will be located on hardstanding and sited more than 10m from any watercourse.
- All plant and fuel storage areas will be located away from areas that see high vehicular movement to prevent accidental damage.
- Storage and mixing of concrete will take place at least 10m away from watercourses.
- No washout from concrete mixing will be allowed to enter the water environment and will be taken off site for appropriate treatment.
- All oils and fuels will be returned to storage area after use.
- No refuelling will take place within 10m of any watercourse, including field drains and road drainage.
- Weather reports will be monitored prior to and during all construction activities. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and when run-off/drainage can be adequately controlled to prevent pollution.

Providing all works operate in accordance with current best practice, as demonstrated by SEPA's GPPs the residual significance of effect on the water environment is considered to be neutral. Therefore, in accordance with DMRB

Guidance document LA 113: Road drainage and the water environment no further assessment is required.

It has been determined that the proposed project will not have direct or indirect significant effects to the water environment.

Climate

Impacts

- GHG emissions will be emitted through the use of machinery, vehicles and materials used (containing recycled and virgin materials) and transporting to and from site.

Mitigation

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

It has been determined that the proposed scheme will not have direct or indirect significant effects to climate.

Vulnerability of the project to risks

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

It has been determined that the proposed scheme will not alter the vulnerability of the existing trunk road infrastructure to risk of major accidents or disasters.

Assessment cumulative effects

The Scottish Road Works Commissioner's Interactive Map does not highlight any other works in the area at the time of construction.

Moray Council's Planning Portal does not highlight any proposed developments or planning applications on the A95 carriageway within 2km of the scheme.

Amey's current programme of works has not highlighted any other works on the A95 that will be undertaken in conjunction with the scheme. It has however identified a

retexturing scheme taking place on the A95 at Advie 200m west of the works on the Bridge of Avon. This is a small maintenance scheme which will not be taking place at the same time as the bridge works and therefore there is unlikely to be any cumulative effects from these works.

No other nearby schemes which may result in a combined effect on nearby receptors have been identified.

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

Assessments of the environmental effects

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

The following environmental surveys/reviews have been undertaken:

- A design Environmental Scoping Assessment of the scheme, undertaken by the Sustainability Solutions Team at Amey in October 2023.
- Habitats Regulations Appraisal was undertaken by the Sustainability Solutions Team at Amey in May 2024.

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 involves the improvement of a road The completed works, along with any areas occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other facilities or stores required during construction, are located wholly or partially within the River Spey SAC, a sensitive area as defined in 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:

- Construction activities are restricted to the existing carriageway boundary within made ground and as such there will be no residual change to the local landscape as a result of the works.
- No in-combination effects have been identified.

- 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.
- As the works will be limited to the like-for-like replacement of the structural components, 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. No impacts on the environment are expected during the operational phase as a result of works.
- By removing the carriageway defects this will provide this part of the A95 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions, and positive operational impacts for road users.

Location of the scheme:

- Works are not located within an area designated for its specific landscape character or quality.
- The scheme will be confined to the existing carriageway boundary and as a result will not require any land take and will not alter any local land uses.
- The scheme is located above the River Spey SAC for which a HRA has been undertaken and identified no Adverse Effects on Site Integrity.

Characteristics of potential impacts of the scheme:

- The successful completion of the scheme will afford benefits to road users due to improved condition and ride quality of the carriageway surface and better road drainage.
- The use of TS2010 road surfacing affords the benefits of a reduction in mid to high frequencies of traffic noise. As a result, ambient noise levels will likely decrease post construction.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding water environment.
- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications.

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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