



**TRANSPORT  
SCOTLAND**  
CÒMHDHAIL ALBA

# **Environmental Impact Assessment Record of Determination**

## **A828 South of Highland Boundary Resurfacing**

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## Project Details

### Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works at the A828 South of Highland Boundary. The works will consist of carriageway resurfacing and reinstatement of road markings for a length of 1700m (approximately 1.037ha).

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site
- Mill out old surface course
- Lay new surface course
- Roll surface and allow it to go off
- Mark out lining schedule on site
- Remove TM and open road
- Lining/studding may be carried out at a later date under mobile TM or lane closures

The works are currently programmed to be completed within the 2022/2023 financial year. However, works may be delayed into the first half of the 2023/2024 financial year (April to September 2023 inclusive). Works are expected to be completed over three nights by utilising night-time working hours; however, changes in the programme may result in the need for day works. Traffic management (TM) is currently anticipated to consist of night-time road closures with regular amnesties. However, if the programme changes, this may result in amendments to the exact TM requirements. Where required, alternative pedestrian routes will be included in the TM setup.

## Location

The scheme is located on the A828 trunk road in the Argyll and Bute Council region, ~1.5km north of Shuna Island. (Figure 1).



Figure 1. Location and scheme extent of the proposed resurfacing works at A828 South of Highland Boundary.

## Description of local environment

### Air quality

The scheme is not located within any Air Quality Management Areas (AQMA) and no air quality monitoring stations are located in the vicinity of works ([Air Quality Scotland](#)). The nearest air quality monitoring site to the scheme is located in Fort William, approximately 30km north of the scheme ([Air Quality Scotland](#)). Pollution levels in the general vicinity of works are anticipated to be lower than those at the monitoring station in Fort William due to the remote nature of the scheme location.

One site which is registered on the Scottish Pollutant Release Inventory (SPRI) ([Scotland's Environment](#)) for air pollutant releases lies within 1km of the scheme. Details of the site are as follows:

- Shuna Marine Cage Fish Farm (intensive livestock production and aquaculture). This site lies ~1.5km south of the scheme, within the Sound of Shuna.

Baseline air quality at the scheme location is likely to be primarily influenced by traffic along the A828 trunk road.

## Cultural heritage

According to Historic Environment Scotland's PastMap ([PastMap](#)), there are no features listed on the Canmore database or the Historic Environment Record (HER) within 300m of the scheme.

There are no World Heritage Sites, Scheduled Monuments, Listed Buildings, Conservation Areas, Garden and Designed Landscapes or Inventory Battlefields identified within 300m of the scheme ([PastMap](#)).

## Landscape and visual effects

Land use to the east of the scheme is dominated by a combination of woodland and agricultural grassland, whilst the coast of Loch Linnhe/the Sound of Shuna lies to the west of the scheme. Castle Stalker lies approximately 3.5km south of the scheme and is a key landscape feature within Scotland, as well as a popular tourist attraction. Therefore, the area is likely to attract tourists and outdoor recreationists. The A828 Trunk Road connects Connel with South Ballachulish. It commences at the A828 / A85 junction in Connel leading generally north-eastwards for a distance of 51 kilometres to its junction with the A82 in South Ballachulish. The A828 is a single carriageway along its length.

## Biodiversity

The scheme is not situated within, immediately adjacent to, nor has connectivity with a Statutory Designated Site e.g. Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI), Ramsar, National Nature Reserve (NNR), etc ([SiteLink](#)).

The NBN Atlas also holds records of 38 bird species within 2km over a 10-year period. Under the Wildlife and Countryside Act 1981, all wild birds and their active nests are protected ([NBN Atlas](#)).

The NBN Atlas holds records of the following invasive non-native species (INNS) of plants (denoted by \*) and injurious weeds under the same criteria:

- Rhododendron (*Rhododendron ponticum*)\*

- Rosebay willowherb (*Chamaenerion angustifolium*)
- Spear thistle (*Cirsium vulgare*)

The Asset Management Performance System (AMPS) does not hold any records of INNS along the A828 throughout the scheme extent.

Habitats to the east of the scheme are typically dominated by areas of mixed, mainly coniferous woodland and patches of agricultural grassland. Loch Linnhe/the Sound of Shuna is located immediately west of the scheme and provides some coastal habitats in the surrounding area.

There are several areas of woodland listed on the Ancient Woodland Inventory (AWI) (Scotland's [Environment](#)) as Ancient (of semi-natural origin) within 300m of the scheme, the closest of which runs directly adjacent the scheme extent for approximately 900m from the north of the scheme extent .

## Geology and soils

The scheme does not lie within a Geological Conservation Review Site (GCRS) ([SiteLink](#)). There are also no geological SSSIs or Local Geodiversity Sites (LGS) with connectivity to the scheme extents ([SiteLink](#)).

Bedrock within the scheme extents is comprised of Appin Phyllite and Limestone Formation (Phyllitic semipelite and quartzite) and Cuil Bay Slate Formation (Graphitic pelite and semipelit) which are metamorphic bedrocks ([BGS GeoIndex](#)). There are no data for Superficial deposits within the scheme extent ([BGS GeoIndex](#)).

The Generalised Soil Types beneath the scheme extent are humus-iron podzols and brown soils ([Scotland's Soils](#)). The Major Soil Groups are podzols and brown soils ([Scotland's Soils](#)).

## Material assets and waste

The proposed works are required to resurface the worn carriageway and reinstate road markings. Materials used will consist of:

- Asphaltic material
- Road-marking paint
- Bituminous emulsion bond coat
- Milled in road studs

Wastes are anticipated to be planings from the carriageway surface course, which will be fully recovered for re-use (if not containing coal tar) in line with BEAR

Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings. The Contractor is responsible for the disposal of road planings, and this has been registered in accordance with a Paragraph 13(a) waste exemption issued by SEPA, as described in Schedule 3 of the Waste Management Licensing Regulations 2011 (exemption number WML/XS/2004398). It is not yet known if the works will encounter coal tar contaminated road surfacing.

## Noise and vibration

Works are not located within a [Candidate Noise Management Area](#) (CNMA) or Candidate Quiet Area (CQA).

There is no noise modelled data available for the scheme extent ([Scotland's Noise Scotland's Environment](#)).

## Population and human health

There are two residential properties and one farm within 300m of the scheme, one of the residential properties lies approximately 20m from the scheme extent, whilst the farm and the other residential property are 50m and 150m away respectively. All properties have some visibility of the A828 within the scheme extent with winter foliage. An access road to these properties diverges from the southbound carriageway within the scheme extent.

The C152(a) - Oban to Appin (National Cycle Network) (ID: 28352) runs parallel alongside the northbound carriageway of the A828 throughout the scheme extent. This is also used as a pedestrian footpath and is accessed from the A828 within the scheme extent ([Scotland's Environment](#)). There are no walking routes listed on WalkHighlands ([WalkHighlands](#)) or other pedestrian facilities such as bus stops or crossing points, along the A828 within the scheme extent.

The A828 is a single carriageway trunk road which runs through Appin from South Ballachulish to Connel and is a key route for local, commuter, and tourist traffic. The national speed limit applies throughout the scheme.

The nearest traffic count point (ID 30798) on the A828 is located approximately 7km north of the scheme ([Road traffic statistics](#)). Vehicle count data taken from this point in 2021 shows an Average Annual Daily Traffic (AADT) count of 2410 motor vehicles, of which 149 (6%) were heavy goods vehicles ([Road traffic statistics](#)).

## Road drainage and the water environment

There are no surface waterbodies that are spanned or culverted beneath the scheme extents.

The coast of Loch Linnhe (South) (ID: 200081) lies to the west of the A828 throughout the scheme extent (9m at its nearest point). Loch Linnhe (South) is a coastal waterbody which has been classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) in 2020 as having an overall status of 'Good' and is 148.7km<sup>2</sup> in area ([SEPA water environment hub](#)).

The scheme falls within the 'Lismore and Port Appin' groundwater which has been classified as 'Good' ([SEPA water classification hub](#)).

The trunk road, within the scheme extents, is not at risk of surface, coastal, or river water flooding ([SEPA Flood Map](#)).

## 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 CO<sub>2</sub> 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. Activities undertaken on site may cause dust and particulate matter to be emitted to the atmosphere. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air are considered to be low.

- All plant, machinery and vehicles associated with the scheme will be maintained to the appropriate standards and will be switched off when not in use.
- 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 much as reasonably practicable by using a 'just in time' delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials shall be removed from site as soon as is practicable.
- 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).

### Cultural heritage

The proposed works are not anticipated to have an adverse impact on cultural heritage as the works will be restricted to made ground within the A828 carriageway boundary and involve like-for-like replacement of the road surfacing material. There are no recorded features of cultural heritage within the works footprint or within 300m. The following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- Should any unexpected archaeological evidence be discovered, works will stop temporarily in the vicinity and the BEAR Scotland Environment Team contacted for advice.
- People, plant, and materials shall, as much as is reasonably practicable, only be present on areas of made / engineered ground. Where access out with these areas is required for the safe and effective completion of the scheme, it shall be reduced as much as is reasonably practicable and will ideally be limited to access

on foot. There shall be no storage of vehicles, plant, or materials against any buildings, walls or fences.

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

## Landscape and visual effects

There is potential for minor, temporary visual impacts to the local landscape during the construction phase as a result of littering or obstructed views due to vehicles and machinery. However, proposed works will be restricted to like-for-like resurfacing of the A828 carriageway and will be carried out over 10 days, and land use will not change as a result of the works. Therefore, the works will not create any significant change to the local landscape. In addition, the following mitigation measures will be put in place during works:

- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- The working area will be appropriately reinstated following works. No works will take place outside the carriageway boundary.
- Works will avoid encroaching on land and areas where work is not required or does not have permission to do so. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape shall be reinstated as much as is practicable.
- The site will be left clean and tidy following construction.

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

## Biodiversity

During road resurfacing, activities undertaken on site could potentially have a temporary adverse impact on biodiversity in the area as a result of an increased vehicle presence and the potential for disturbance to protected species and pollution of habitats.

The scheme is not situated within, nor has connectivity with a Statutory Designated Site e.g., SAC, SPA, SSSI, Ramsar, NNR, etc.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the SEMP and adhered to on site. Any protected

species in the area are likely to be accustomed to road noise on the A828 and the scheme is of short duration. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Works will be strictly limited to areas required for access and resurfacing works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- No tree felling or in-water works are permitted.
- All construction operatives will be briefed through toolbox talks prior to works commencing. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species and INNS.
- Site personnel shall remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works shall temporarily halt until the species has sufficiently moved on. Any sightings of protected species shall be reported to the BEAR Scotland Environmental Team.
- If artificial lighting is required, it shall be directed away from road verges, woodland, and waterbodies as far as is safe and 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.
- Site personnel shall remain vigilant for the presence of INNS in road verges throughout the works period. Should any INNS be identified in working areas, no works will take place within 7m of these areas until the BEAR Scotland Environmental Team can provide further advice.

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

Although resurfacing works include milling of the existing carriageway surface, construction activities are restricted to made ground within the carriageway boundary and are not anticipated to have an adverse impact on geology and soils. 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) shall 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:

- The waste hierarchy (Reduce, Reuse, Recycle, Recover 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.
- Uncontaminated 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.
- If the works encounter coal tar, then this will be appropriately processed in line with Transport Scotland's Guidance Note on Dealing with Coal Tar Bound Arisings ([Coal Tar Guidance](#)). This will include:
  - Coal tar contaminated road planings will be classified as a Special Waste.
  - All waste will be appropriately segregated, with coal tar contaminated planings being kept separate from uncontaminated planings.
  - Coal tar contaminated road planings must be transported by a registered waste carrier and be accompanied by a SEPA-issued consignment note or code. SEPA must be notified, at least 72 hours before and no longer than one month before, prior to Special Waste leaving site. It must be sent to a facility that holds suitable pollution prevention and control permits and waste management licences. Copies of consignment notes must be retained for a period of three years.
  - Waste must be transported in a safe and secure manner to prevent the release of contaminated material en-route.

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

## Noise and vibration

Construction activities associated with the proposed works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works are anticipated to take place during the day. The proposed scheme is anticipated to result in temporary minor adverse noise impacts. 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.

- If night works are necessary, the Environmental Health Officer (EHO) and local residents will be notified of works and provided with a 24-hour contact number for the BEAR Scotland Control Room.
- On-site construction tasks shall be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- For any night works within 300m of residential properties, the noisiest works shall be programmed to be completed before 23:00 each night where possible.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.
- All plant, 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 shall be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

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

## **Population and human health**

During construction, activities undertaken on site may have temporary adverse impacts on local residents, vehicle travellers, and non-motorised road users (NMUs) as a result of vehicle noise and delays due to road closure. Local residents will be notified of works via letter drop and road users will be informed of works through a media release, which will provide details of construction dates and times. The works will be of short duration and will move progressively along the full scheme extent. With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- Local residents will be notified of the impending works and the diversion route. Information will provide contact details (office phone number and e-mail address) for the Project Engineer as well as a 24-hour contact number for the BEAR Scotland Control Room.
- Appropriate provisions / measures shall be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- Access to the NCN route and footway will be maintained at all times, however it is expected that pedestrian footfall will be low during the works.

- Journey planning information will be available for drivers online at the [trafficscotland.org](http://trafficscotland.org) website. Journey planning information will also be available for drivers online through BEAR's social media platforms.

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

## Road drainage and the water environment

During resurfacing works, there is potential for temporary impacts on the water environment. Potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain or tidal movements) during works have the potential to have a direct or indirect effect on the surrounding waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- The scheme will not entail any in-water 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 are permitted. Appropriate containment measures will be in place to prevent any loss of construction materials into the water environment.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills must 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 materials, oil and fuel containers shall be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers shall be stored on an impermeable area and be fully bunded. This shall 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 have the potential to leak fuel and as such will have bunding with a capacity of 110%. If these are not bunded then drip trays shall 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 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.
- Where possible, materials will be sourced locally to reduce greenhouse gas emissions associated with materials movement, and waste will be taken to a local licenced waste facility.
- BEAR Scotland participate in CEEQUAL.

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

## Major Accidents and Disasters

The trunk road, within scheme extents, is not at risk of surface, coastal, or river water flooding.

Works are restricted to the made ground of the A828 carriageway and traffic management will be designed in line with existing guidance. The proposed works are anticipated to last 10 days. Traffic management will consist of a daytime lane closure with convoy. Where required, alternative pedestrian routes will be included in the traffic management setup, to minimise impact of the works on NMUs.

These measures, along with mitigation measures and standard working practices, will be detailed in the SEMP and adhered to on site. The vulnerability of the project to risks of major accidents and disasters is considered to be low.

## Assessment of cumulative effects

The proposed works are not anticipated to result in significant environmental effects. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity. A search of the Argyll and Bute Planning Portal ([Map Search](#)) confirmed that there are no planning applications within 300m of the scheme. A search of the Scottish Roads Works Commissioner's 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. There are also no local authority road networks in proximity to the 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 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, there are no significant effects anticipated on any environmental receptors as a result of the proposed works.

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

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works

(together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) exceed 1ha.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment (EIA) is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, 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 approximate 1.037ha area of existing carriageway.
- The works will be temporary, localised, and completed during night-time hours, when the traffic count is at its lowest levels.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.
- No in-combination effects have been identified.
- The risk of major accidents or disasters is considered to be low.

Location of the scheme:

- The scheme is not situated in whole or in part within a “sensitive area” as listed under regulation 2 (1) of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended).
- The scheme will be confined within the existing carriageway boundaries and as a result will not require any land take and will not alter any local land uses.
- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.

Characteristics of potential impacts of the scheme:

- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- The SEMP will include plans to address environmental incidents.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users during the operational phase.
- Mitigation measures detailed above and in the SEMP are put in place with the objective to prevent and, if required, subsequently mitigate any potential impacts on sensitive receptors.

## Annex A

“sensitive area” means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.



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