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Environmental Impact Assessment Record of Determination

A95 Auchmadies – Resurfacing

Contents

Project Details

Description

The works are required to repair structural defects that have been identified on a stretch of the A95 carriageway between Auchlunkart and Maggieknockater, Moray. Works are required to address carriageway deterioration including crazing, cracking, potholes and fretting, and will involve the use of in-situ recycling methods of resurfacing along a 1.65km stretch of the carriageway. The scheme covers an approximate area of 1.06 hectares.

Construction activities are as follows:

- Installation of traffic management (TM) and marking out site;
- Milling old carriageway surface course to agreed depths;
- Resurfacing of carriageway to the existing road levels using TS2010 10mm aggregate (Site Class 1 & 3) & AC20 Binder, cold recycled bounded material (in-situ recycling of existing pavement materials);
- Reinstatement of road markings, linings and studs; and
- Removal of TM.

The following plant will be required:

- Planer;
- Paver;
- Roller(s);
- Wirtgen WR250i cold recycler and train;
- 3CX JCBs;
- Bond Coat Truck; and,
- Wagons.

The proposed construction is programmed to be completed within the 2024/2025 financial year (April 2024 to March 2025) for the duration of 10 nights.

TM for this scheme will comprise of 24-hour road closures with a Heavy Goods Vehicle (HGV) diversion route via Keith A96 to Elgin then A941 to Craigellachie and vice versa. All other traffic will be diverted along the B9103 at Mulben, then B9105 to Rothes and then A941 to Craigellachie and vice versa. Moray Council's Environmental Health Team were notified of such arrangements in January 2024.

Location

The scheme is located along a semi-rural stretch of the A95 west of the town of Keith at the National Grid References (NGRs) (Figure 1):

Scheme Start: NJ 33359 47207

Scheme End: NJ 33748 48786

Figure 1: Scheme Location

Description of local environment

Air quality

The scheme is located within a largely rural area along a stretch of the A95. There are six residential properties located within 300m of the scheme, the closest being approx. 45m east. No non-residential air quality receptors are present within 300m of the scheme.

Moray Council has not declared any Air Quality Management Areas (AQMAs). Baseline air quality levels are likely to be influenced by vehicles and associated emissions along the A95 carriageway and surrounding agricultural activities within this rural area.

No sites are registered on the Scottish Pollutant Release Inventory (SPRI) for air pollutant releases within 1km of the scheme.

The Average Annual Daily Flow (AADF) was estimated for the nearest traffic count point on the A95 carriageway located 1.5km south west of the scheme (count point: 50918), and accounted for 926 total vehicles, 87 of which were HGVs.

Cultural heritage

A desktop study using the PastMap resource has identified one statutory, designated cultural heritage asset within 300m of the scheme:

- Auchlunkart House, West Lodge Category C Listed Building (Ref: LB2323) approx. 135m north.

There are a further two non-designated heritage assets are recorded within 200m of the scheme:

- Upper Oldtown Historic Environment Record (HER) (Ref: NJ34NW0016) within extents. This is the site of a now destroyed croft; and
- Croft Of Oldtown (HER) (Ref: NJ34NW0031) within extents. This is the site of a smithy which is depicted on the 1877 edition OS map.

There are no Scheduled Monuments, Garden and Designed Landscapes, Conservation Areas, World Heritage Sites or Inventory Battlefields identified within 300m of the scheme.

Landscape and visual effects

The scheme is located within a largely rural area along a stretch of the A95. This scheme is not located within a National Park, National Scenic Area, or any other area designated for landscape character or quality (Sitelink).

The Landscape Character Type (LCT) within the scheme extent is categorised as Upland Farmed Valleys (LCT 289) with the following key characteristics:

- Network of long, elevated, well-drained, connected valleys containing rivers and large burns;
- Extensive forest plantations on hillsides and some broad summits linked to the network of broadleaf woodlands, policy plantings, smaller forests and tree belts at lower levels, which are integrated with farmland;
- A mix of larger, fields on gentler slopes, and more complex pattern of small and irregular fields on steeper slopes, upper margins, and in folds and indentations on hill sides;
- Containment of the River Spey provided by the spurs and steep sides of the western slopes;
- Relatively sparse, historic settlement pattern and distilleries, focussed in valleys, and connected by a simple framework of winding roads, with few areas of new development; and
- Contrast between the intimate views in narrower, undulating, wooded valleys, and the views from broader valleys which open up to reveal longer distance views of hills in surrounding landscapes, and to the coastal farmlands.

Historic Environment Scotland's HLAMap has highlighted the surrounding landscape to consist of a combination of designed landscape, rectilinear fields and farms and plantation.

Various areas of woodland classified under the Ancient Woodland Inventory (AWI) are present in the surrounding area of the scheme, however none are directly adjacent to the A95 carriageway within extents. The closest area of woodland is Woodland of Auchlankart (ID: 56), an area of long-established origin approximately 200m north of the scheme's start point.

Views to and from the road will be visually impacted for the duration of the works due to the presence of TM, plant, machinery and non-road mobile machinery (NRMM). However, there are only sporadic rural properties, largely screened from the carriageway work site by natural screening, and thus no significant visual impacts are anticipated and 'Landscape and Visual Effects' has been scoped out requiring further assessment.

Biodiversity

There are no designated ecological sites within 2km of the works, with the nearest being the River Spey Special Area of Conservation (SAC) 2.7 km southwest of the scheme.

A desktop study using NBN identified the Invasive Non-Native Species (INNS) of Rhododendron *(Rhododendron ponticum)* within 1km of the scheme.

No records of INNS are identified on Transport Scotland's Asset Management Performance System (AMPS), however there are two occurrences of the injurious weed/target species of Rosebay willowherb *(Chamerion angustifolium)* recorded along the A95 within scheme extents.

Various areas of woodland classified under the Ancient Woodland Inventory (AWI) are present in the surrounding area of the scheme, however none are directly adjacent to the A95 carriageway within extents. The closest area of woodland is Woodland of Auchlankart (ID: 56), an area of long-established origin approximately 200m north of the scheme's start point.

There are no Tree Preservation Orders (TPOs) within or surround scheme extents.

It is considered unlikely that any terrestrial mammal species of conservation importance are associated with permanent habitat or resting places within the area of likely construction disturbance. In addition, the nature of the scheme is contained within the carriageway boundary involving like-for-like works within already engineered layers and as such a field survey has been ruled out, and a desktop study has been deemed sufficient for this assessment.

Geology and soils

The scheme does not lie within or have connectivity to any Geological Conservation Review Sites (GCRS), geological SSSIs, or Local Geodiversity Sites (LGS) (Sitelink).

The local soil type of scheme extents is recorded as a combination of largely humus-iron podzols and a smaller area of noncalcareous gleys with humic gleys within the central scheme area (Scotland's Soils).

Bedrock within scheme extents is comprised of the metamorphic bedrock of the Cairnfield Calcareous Flag Formation, formed between 1000 and 541 million years ago (Mya) between the Tonian and Ediacaran periods (British Geological Survey Geology Viewer).

Superficial deposits within extents comprise of the following sedimentary deposits:

- Alluvium and River Terrace Deposits – gravel, sand, silt and clay. Formed between 2.588 Mya and the present during the Quaternary period.
- Head – gravel, sand, silt and clay. Formed between 2.588 Mya and the present during the Quaternary period.
- Till, Devensian – Diamicton. Formed between 116 and 11.8 thousand years ago during the Quaternary period.

As a result of the works taking place strictly within made ground within the A95 carriageway boundary, it has been determined that the proposed project does not carry the potential to cause direct or indirect impact to geology or soils. As such, impact has been assessed as being 'no change' and has been scoped out of requiring further assessment.

Material assets and waste

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

- Bituminous surfacing (TS2010, binder/base);
- Road marking materials (thermoplastic road marking paint) and studs;
- Vehicle fuel;
- Oil; and
- Lubricant.

Wastes are anticipated to be planings from the carriageway surface course, with no coal tar recorded from coring logs within scheme extents. The Contractor is responsible for the disposal of road planings, and this will be registered in accordance with a Paragraph 13(a) waste exemption issued by the Scottish Environment Protection Agency (SEPA), as described in Schedule 3 of the Waste Management Licensing Regulations 2011.

In-situ recycling is to take place as part of the proposed scheme. This will minimise road planing waste generated from resurfacing activities and thus reduces the percentage of waste sent to landfill.

This scheme is in excess of £350k and therefore a Site Waste Management Plan (SWMP) is to be produced.

Noise and vibration

The scheme lies within a rural stretch of the A95 carriageway, with six residential properties located within 300m of extents, the closest approx. 45m east of the carriageway. No non-residential noise receptors are within 300m of the proposed scheme.

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

Scotland's Noise Map holds no modelled noise level data (Lden) for the A95 carriageway within, or nearby the proposed scheme extents. Baseline noise levels are likely to be primarily influenced by traffic travelling along the A95 and surrounding agricultural activities.

The AADF was estimated for the nearest traffic count point on the A95 carriageway located 1.5km south west of the scheme (count point: 50918), and accounted for 926 total vehicles, 87 of which were HGVs.

Population and human health

The carriageway surrounding the scheme extents connects various areas such as Muben, Auchlunkart, Maggieknockater, Craigellachie, Rosarie and Keith along the A95. The town of Keith is located approximately 8km northeast of the proposed scheme extents, while Craigellachie is approximately 5km southwest. These larger towns play host to medical practices, educational facilities, and basic amenity facilities such as shops and fuel garages.

Six residential properties are located within 300m of extents, the closest approximately 45m east of the carriageway and no non-residential properties or community facilities are within 300m of the scheme. Nine residential properties are identified as having sole access/egress within scheme extents.

There are no Moray Council Core Paths, bus stops, National Cycle Network (NCN) routes, laybys or bridleways within the scheme, and extents are not street lit.

TM will comprise of 24-hour road closure, HGV Diversion Keith A96 to Elgin then A941 to Craigellachie and vice versa. All other traffic diversion B9103 at Mulben then B9105 to Rothes and A941 to Craigellachie and vice versa.

Road drainage and the water environment

The scheme is located within the Dufton groundwater body (ID: 150504) which SEPA classified in 2021 as having an overall status of 'good', and anticipates this status to continue long-term (SEPA Water Environment Hub).

The Mullen Burn (ID.23069) is located approximately 60m east at its closest point. The burn has an overall classification of good ecological condition under the Water Framework Directive (WFD) in 2021 (SEPA Water Environment Hub).

Unclassified watercourses within 500m include Canna Burn approx. 70m east, and Den Burn approximately 60m southeast of the scheme's southern extent.

The scheme does not lie within a Nitrate Vulnerable Zone (NVZ).

There are no surface or river water flood risks highlighted within scheme extents.

Road drainage within scheme extents is provided by filter drains and gullies.

Climate

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

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

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

Policies and Plans

This Record of Determination (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

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts surrounding the scheme and local roads where diversion routes will be enforced. Activities undertaken on site may cause dust and particulate matter to be emitted to the atmosphere and increased prolonged vehicle, plant and NRMM presence, and HGV diversion routes may result in higher-than-average emissions. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air quality are considered to be low, and will be for the duration of the works only.

- 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:
  - Plan site layout (including plant, vehicles and NRMM) so that machinery and dust causing activities are located away from receptors, as far as reasonably practicable;
  - Remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site (cover or fence stockpiles to prevent wind whipping);
  - Only use cutting, grinding or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems;
  - Ensure equipment is 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 should 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 undertaken prior to works.
- Where possible, materials will be sourced locally.

Considering the nature, duration, size, and scale of the scheme, and with implementation of mitigation the proposed works impacts on local air quality levels during the construction period are assessed to be temporary negligible adverse in

magnitude and therefore, in accordance with DMRB Guidance document LA 105: Air Quality no further assessment is required.

Cultural heritage

Despite records of cultural heritage features within 300m of scheme extents, there are no earthworks or land acquisition associated with the scheme, with original construction of the A95 carriageway likely to have removed any archaeological remains that may have been present. Therefore, the potential for the presence of unknown archaeological remains in the study area has been assessed to be low.

Works are confined to upper engineered layers of the carriageway and restricted to the carriageway boundary, on a like-for-like basis. The following best practice mitigation measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest, and existing identified features:

- Plant, machinery, NRMM and materials will be stored within the carriageway boundary as far as reasonably practicable. Where areas outwith the carriageway are to be accessed, it will be reduced as far as possible, and ideally limited to access on foot.
- If a change to the construction programme onsite is required that involves changes to scheme extents Amey's Environmental Team will be notified.
- Should any unexpected archaeological evidence be discovered, works will temporarily halt, and Amey's Environment Team contacted for advice.

Given the nature of the works, works area, and distance from identified cultural heritage features, no significant effects are predicted on cultural heritage. Therefore, in accordance with DMRB Guidance document LA 106: Cultural Heritage, no further assessment is required.

Biodiversity

Construction activities have the potential to 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 within close surroundings; and potential to pollute habitats from noise and artificial lighting.

All works will be restricted to the A95 carriageway surface and will not entail any verge working or vegetation clearance. There are no earthworks, permanent (or temporary) land-take, accommodation works or site clearance, and there is no requirement to import topsoil. As such, there is limited potential to spread or introduce INNS or injurious flowering plant species.

With the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- As part of the Network Management Contract (NMC) Amey, on behalf of Transport Scotland, keep records of various target species, including Rosebay willowherb. Works will not cause the spread of this species, if works are likely to result in the spread of this species through disturbance, Amey's landscaping team will be consulted.
- A 'soft start' will be implemented on site each day. This will involve switching on plant/vehicles simultaneously as opposed to instantaneously, to ensure a gradual increase in noise for minimal disturbance.
- Site lighting will be directional and aimed away from sensitive ecological receptors including woodland and identified watercourses to the east.
- Should a protected species be encountered or move on site, works will be temporarily halted until the animal has moved on, or until Amey's Environmental Team can provide advice.
- Amey's Environmental Team will be contacted if:
  - There are any sightings of protected species on, or within close surroundings of the active works area;
  - Unforeseen site clearance, or additional construction activities are required; or
  - INNS are found within the work area.
- Plant, vehicles, NRMM and materials will be contained within areas of made/engineered ground, and not parked/stored on grass verges as far as reasonably practicable. Reinstatement of any damaged areas should be undertaken (if required) upon completion of the scheme.

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

Material assets and waste

There is potential for impacts as a result of resource depletion through use and transportation of new materials, however, in-situ recycling methods are to be utilised for resurfacing activities and thus reducing the amount of waste material produced, and emissions associated with transport of new, and waste materials to/from site. In addition, materials will be sourced locally where possible and the design life for the TS2010 surfacing proposed is estimated to be 20 years thus reducing the requirement for maintenance to this section of road over this period. The following mitigation measures will be put in place:

- 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.
- Waste will be stored in suitable containers and covered.
- Where possible, different waste streams will be separated at the source.
- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- Following on-site coring investigations and testing, no coal-tar was identified within the surfacing of the carriageway within the scheme extent. As such, road planings generated as a result of the works will be recovered in accordance with the criteria stipulated within SEPA document 'Guidance on the Production of Fully Recoverable Asphalt Road Planings' where possible.
- A SWMP will be prepared to include details on the quantity and type of waste produced, details of how the waste produced will be minimised, details of how materials unsuitable for reuse, recycling or recovery will be disposed of a comparison against the Scottish Government's targets for waste reduction and recycling and details of compliance with waste duty of care legislation.

With best practice mitigation measures in place, no significant effects are predicted Material Assets and Waste. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and vibration

Construction activities associated with the proposed works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works will take place during both day- and night-time working hours. This potential disturbance will likely influence noise-sensitive receptors (residential and business) along the diversion route, due to increase in HGV traffic flow, and therefore will likely increase noise levels from ambient levels.

The proposed scheme is anticipated to result in temporary minor adverse noise impacts. Operationally, TS2010 road surfacing is shown to have superior durability and noise reducing features compared to standard road surfacing mixes. Vehicle travellers and nearby local amenity users will benefit from improved road surfacing as a result of the scheme.

The following mitigation measures will be put in place:

- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors. The noisiest works will be undertaken before 23:00 where possible.

- 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.
- A ‘soft start’ to works will be enforced, whereby plant/machinery/vehicles are started sequentially as opposed to simultaneously.
- Amey’s Noise and Vibration toolbox talk will be delivered to all site operatives before works start.
- A letter drop will be delivered to residents within 300m to notify them of upcoming works, TM, diversion routes, and works timings and duration.

With best practice mitigation measures in place, no significant effects are predicted for noise and vibration. Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration and no further assessment is required.

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 construction presence, and associated noise and delays due to traffic management measures and local diversion routes. This will include longer journey times for those travelling within the surrounding area. Access/egress points to multiple properties are located within scheme extents, however local access will be granted where required.

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

- Where appropriate, a communication strategy will be implemented to keep local residents and/or businesses informed of the proposed working schedule, particularly the times and durations of noisy construction activities and diversion routes. This will include:
  - Notification via a letter drop will be issued to local residents prior to commencement of the works, in particular due to night time programming and road restrictions;
  - Pre-construction notice of the works and journey planning via social media and on approach to scheme extents.
- Construction lighting will consider the need to avoid illuminating surrounding properties to avoid a nuisance at night, and non-essential lighting will be switched off at night.
- Moray Council Environmental Health Team have been contacted in January 2024 to notify of night-time programming.

With best practice mitigation measures in place, no significant effects on population and human health are predicted. Therefore, in accordance with DMRB Guidance document LA 112: Population and Human Health, no further assessment is required.

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) during works could have a direct or indirect effect on the surrounding water environment. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- The Contractor will implement measures to minimise the risk of sediment or accidental spillages entering the road drainage system. This will be via the use of drain covers or similar to ensure full segregation of the works from the road drainage system.
- All site operatives will be made aware of site spillage response procedures and in the event of a spill, all works associated with the spill will stop, and the incident reported. Spill kits will also be available within all site vehicles and spill kits will be replenished onsite when required.
- The Amey control room will be contacted if any pollution incidences occur (24 hours, 7 days a week).
- In the event of a ‘serious incident,’ SEPA will be notified without delay.
- Weather reports will be monitored prior to and during the works with all construction activities temporarily halting in the event of adverse weather/flooding event. The works will only continue when it is deemed safe to do so and run-off/drainage can be adequately controlled to prevent pollution.
- All storage areas (of waste, fuels, plant, vehicles and NRMM) where required will be located away from areas that see high vehicular movement (as far as reasonably practicable) to prevent damage by collision or extremes of weather.
- Amey’s Water Pollution Prevention toolbox talk will be delivered daily to site operatives prior to works commencing.

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. Therefore, in accordance with DMRB Guidance document LA 113: Road drainage and the water environment no further assessment is required.

Climate

Construction activities associated with the proposed works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases through the use of vehicles and machinery, material use and production, and

transportation of materials to and from site. The following mitigation measures will be put in place:

- Where possible, materials and suppliers will be sourced locally to reduce greenhouse gas (GHG) emissions associated with travel distance, materials movement, and waste will be disposed at local landfill.
- Further actions and considerations for this scheme are detailed in the above *Material Assets and Waste* section.

With best practice mitigation measures in place, the residual significance of effect on climate is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

Major Accidents and Disasters

No areas of the A95 carriageway within scheme extents are at risk of surface, river, or coastal flooding.

Works are restricted to the like-for-like replacement within the carriageway boundary and thus there will be no change in vulnerability of the road to risk, or in severity of major accidents/disasters that would impact on the environment.

TM will comprise of 24-hour road closures and an HGV diversion route, with the overall vulnerability of the project to risks of major accidents and disasters considered to be low.

Assessment cumulative effects

During construction, activities associated with the works may create several types of minor temporary disturbances such as changes to noise and vibration and air quality. However, these impacts will be temporary in nature and are not anticipated to result in a significant cumulative effect.

A search of the Scottish Road Works Commissioner's Interactive Map and Moray Council's Planning Portal has not highlighted any works or relevant proposed developments or planning applications during the proposed timescale at the location of the works.

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

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

As detailed in the Description of Main Environmental Impacts and Proposed Mitigation section within this Record of Determination, there are no significant effects anticipated on any environmental receptors as a result of the proposed scheme.

The following environmental surveys/reviews have been undertaken:

- An Initial Environmental Review of the scheme, undertaken by the Amey Environment and Sustainability Team in January 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 is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) exceed 1 hectare in area.

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

- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.
- 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 is not situated in whole or in part in a sensitive area.
- The scheme will be confined within the existing carriageway boundary and as a result will not require any land take or alter any local land uses or habitats.
- Any impacts to the local landscape during the construction phase will be minor, temporary and not considered significant. In addition, no operational adverse impacts are anticipated.

Characteristics of potential impacts of the scheme:

- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Any potential impacts of the works are expected to be temporary, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- 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.

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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