



**TRANSPORT  
SCOTLAND**  
CÒMHDHAIL ALBA

# **Environmental Impact Assessment Record of Determination**

## **A9 Drumochter SB North End and A9 Drumochter Duals SB**

**Contents**

|  |           |
|--|-----------|
| <b>Project Details .....</b>   | <b>4</b>  |
| Description.....   | 4         |
| Location .....   | 4         |
| <b>Description of local environment.....</b>                                   | <b>6</b>  |
| Air quality .....  | 6         |
| Cultural heritage .....  | 6         |
| Landscape and visual effects .....   | 6         |
| General Qualities .....  | 7         |
| The Mountains and Plateaux.....  | 7         |
| Moorlands .....  | 7         |
| Glens and Straths .....  | 7         |
| Trees, Woods and Forests .....   | 7         |
| Wildlife and Nature .....  | 7         |
| Visual and Sensory Qualities .....   | 8         |
| Culture and History .....  | 8         |
| Recreation.....  | 8         |
| Biodiversity .....   | 9         |
| Designated Sites .....   | 9         |
| Records.....   | 9         |
| Geology and soils .....  | 10        |
| Material assets and waste .....  | 11        |
| Noise and vibration .....  | 11        |
| Population and human health .....  | 12        |
| Road drainage and the water environment.....                                   | 12        |
| Climate .....  | 12        |
| <b>Policies and plans .....</b>  | <b>13</b> |
| <b>Description of main environmental impacts and proposed mitigation .....</b> | <b>14</b> |
| Air quality .....  | 14        |
| Landscape and visual effects .....   | 15        |
| Biodiversity .....   | 15        |
| Material assets and waste .....  | 17        |
| Noise and vibration .....  | 19        |

|  |           |
|--|-----------|
| Population and human health .....  | 20        |
| Road drainage and the water environment.....   | 21        |
| Climate .....  | 22        |
| Vulnerability of the project to risks .....  | 23        |
| Assessment of cumulative effects.....  | 23        |
| <b>Assessments of the environmental effects .....</b>  | <b>24</b> |
| <b>Statement of case in support of a Determination that a statutory EIA is not<br/>required.....</b> | <b>24</b> |
| <b>References of supporting documentation .....</b>  | <b>25</b> |
| <b>Annex A.....</b>  | <b>26</b> |

## Project Details

### Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing works on a stretch of the A9 trunk road. This RoD includes assessment for two separate schemes being carried out on two adjacent/consecutive sections of the A9 carriageway: A9 Drumochter SB North End (Scheme 1) and A9 Drumochter Duals SB (Scheme 2).

Both schemes consist of works of similar nature involving the replacement of the surface course of the southbound carriageway over a total length of 2,819m, comprising of 1,766m for Scheme 1 and 1,053m for Scheme 2. The total area of approximately 2.55ha (1.6ha and 0.95ha respectively).

The works will consist of carriageway resurfacing (course and binder course depths are to be confirmed), with reinstatement of road markings and studs.

The works are currently programmed to begin in Summer 2024. Works are expected to be completed over 6 nights for each scheme with working hours of 19:00-06:00. Traffic management (TM) is currently anticipated to consist of alternating nighttime lane closures with a convoy system in place. There are no pedestrian or non-motorised user (NMU) routes located with connectivity to the schemes and as such no impacts on pedestrians or NMUs are anticipated.

### Location

Both schemes are located on the A9 trunk road within the Perth and Kinross Council region, approximately 12km south of Dalwhinnie (Figure 1). The schemes have the following National Grid References (NGRs):

- Scheme 1
  - Start: NN 64829 73129
  - End: NN 66346 72233
- Scheme 2:
  - Start: NN 66341 72235
  - End: NN 67287 71760

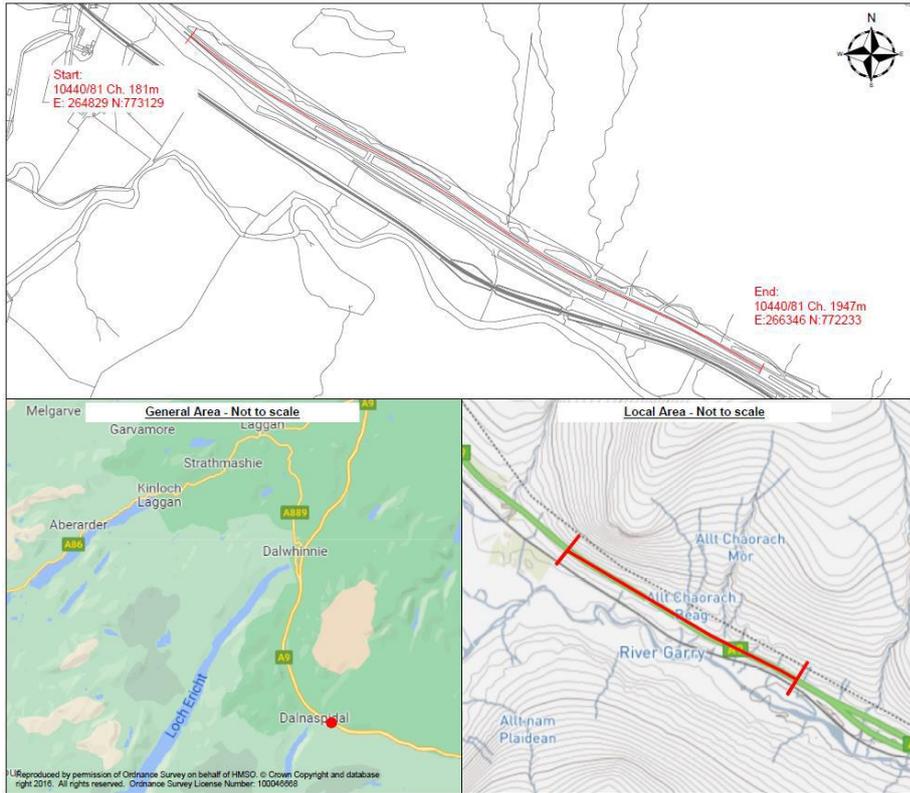


Figure 1. Location of the proposed resurfacing works at Scheme 1 (A9 Drumochter North End SB Duals). Source: BEAR Scotland.

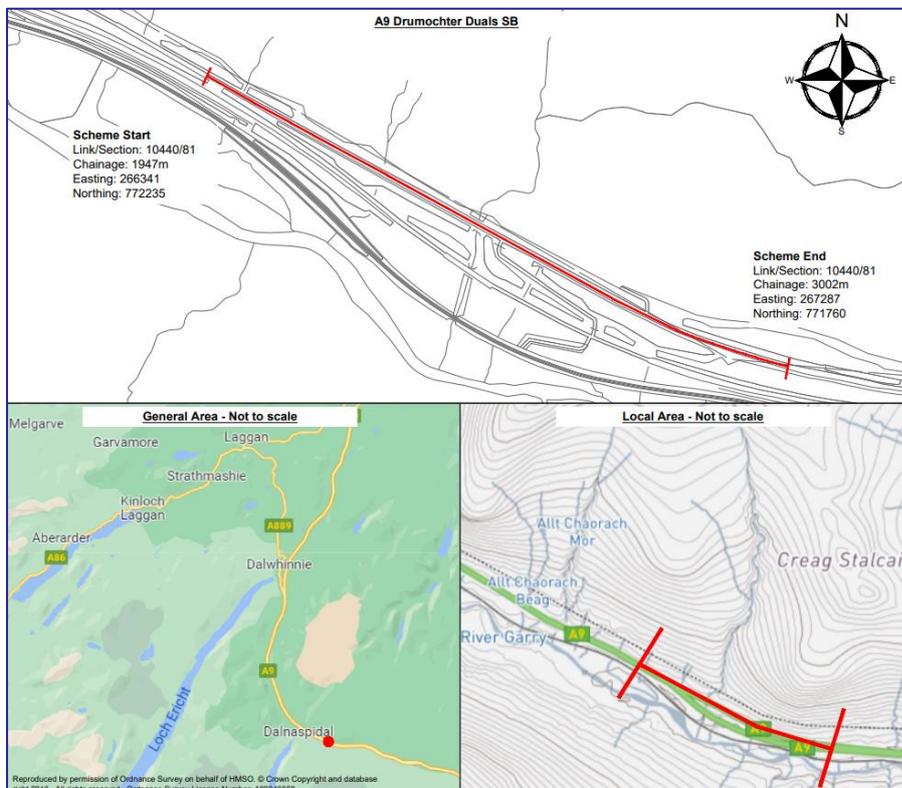


Figure 2. Location of the proposed resurfacing works at Scheme 2 (A9 Drumochter Duals SB). Source: BEAR Scotland.

## Description of local environment

### Air quality

Neither scheme is located within an Air Quality Management Area (AQMA) declared by Perth and Kinross council ([Air Quality in Scotland](#)).

No Air Quality Monitoring Stations (AQMS) are located within 10km of the proposed works. The nearest AQMS lies approximately 53km west of scheme extents, at Fort William, where Nitrogen Dioxide (NO<sub>2</sub>) and Ozone (O<sub>3</sub>) levels were recorded to be low at the time of search ([Air Quality in Scotland](#)). As the schemes are in a more rural area, it is expected that pollution levels would be lower than the levels recorded at the Fort William station.

No Scottish Pollutant Release Inventory (SPRI) sites which record air pollutants, are located within 10km of the schemes ([Scotland's Environment](#)).

Baseline air quality at the scheme locations is likely to be primarily influenced by traffic along the A9 trunk road. The Perth to Inverness railway line forms a corridor 40m southwest of both schemes. Occasional train movement will therefore also have an impact. However, it is likely that train movements will be infrequent.

### Cultural heritage

There are several Historic Environment Records (HERs) and Canmore database records listed within 300m of scheme extents. The closest of these pertain to the Old Military Road which runs parallel to and partially underlies the A9 within the scheme extents.

No Listed Buildings, Scheduled Monuments, Garden & Designed Landscapes, Conservation Areas, Battlefields, or World Heritage sites were identified within 300m of the schemes ([PastMap](#)).

The works are confined to the carriageway surface with no verge works required. Furthermore, construction of the A9 is likely to have removed any archaeological remains that may have been present within the area and as such 'cultural heritage' is scoped out and is not discussed further within this RoD.

### Landscape and visual effects

The schemes are located within the [Cairngorms National Park](#) (site code 8623). The National Park has the following List of Special Qualities:

## **General Qualities**

- Magnificent mountains towering over moorland, forest and strath.
- Vastness of space, scale and height
- Strong juxtaposition of contrasting landscapes
- A landscape of layers, from inhabited strath to remote, uninhabited upland
- ‘The harmony of complicated curves’
- Landscapes both cultural and natural

## **The Mountains and Plateaux**

- The unifying presence of the central mountains
- An imposing massif of strong dramatic character
- The unique plateaux of vast scale, distinctive landforms and exposed, boulder-strewn high ground
- The surrounding hills
- The drama of deep corries
- Exceptional glacial landforms
- Snowscapes

## **Moorlands**

- Extensive moorland, linking the farmland, woodland and the high tops.
- A patchwork of muirburn

## **Glens and Straths**

- Steep glens and high passes
- Broad, farmed straths.
- Renowned rivers
- Beautiful lochs

## **Trees, Woods and Forests**

- Dark and venerable pine forests
- Light and airy birch woods
- Parkland and policy woodlands
- Long association with forestry

## **Wildlife and Nature**

- Dominance of natural landforms
- Extensive tracts of natural vegetation
- Association with iconic animals

- Wild land
- Wildness

## Visual and Sensory Qualities

- Layers of receding ridge lines
- Grand panoramas and framed views
- A landscape of many colours
- Dark skies
- Attractive and contrasting textures
- The dominance of natural sounds

## Culture and History

- Distinctive planned towns
- Vernacular stone buildings
- Dramatic, historical routes
- The wistfulness of abandoned settlements
- Focal cultural landmarks of castles, distilleries and bridges
- The Royal connection

## Recreation

- A landscape of opportunities
- Spirituality

There are no National Scenic Areas or other sites designated for their landscape character or quality located within 300m of the scheme.

The Landscape Character Type (LCT) within the scheme extents is Upland Glen - Cairngorms (LCT No. 126) ([Scottish Landscape Character Types](#)), which is characterised by:

- Strong evidence of glacial processes, including steepened sides and level floors, shattered rock faces on higher slopes, hummocks of resistant rock on some glen floors and terraces of glacial deposits at the edges of glen floors.
- Often form arrival points into the Cairngorms National Park.
- Size varies from large open passes to narrower, more secluded glens.
- Enclosed predominantly by steep slopes.
- Frequently differing land-use on one side of the glen to the other - linked to aspect.
- Improved, grazed fields on glen floors and floodplains.

- Mostly settled, some only sparsely, but often extensive evidence of past settlement, including prehistoric hut circles and associated field systems, pre-improvement townships, and seasonal shielings.
- Some landmark historic buildings.
- Access varies from narrow roads, estate and forestry tracks to main routes, but most have some form of road running through them.
- Varied experience when passing through glens from open and expansive to sheltered and secluded.
- Views to adjacent uplands; from which parts of the glens are visible and provide contrast.

The schemes are located in a rural area approximately 12km south of Dalwhinnie. Land surrounding the schemes is dominated by rough grazing areas, with the river Garry flowing adjacent to the trunk road (approximately 50m south at its closest point), with several tributaries also being culverted under the A9 carriageway within scheme extents.

The A9 Trunk Road, within the North West, connects Perth with Thurso. It commences immediately north of Inveralmond Roundabout in Perth leading generally northwards for a distance of 357 kilometres to its junction with an unclassified road leading to Holborn Head lighthouse at Scrabster. The A9 is a mixture of single carriageway, '2+1' carriageway and stretches of two-lane dual carriageway.

## Biodiversity

### Designated Sites

Drumochter Hills Special Area of Conservation (SAC) lies approximately 300m northwest of the scheme extents.

Drumochter Hills Special Protection Area (SPA) lies approximately 300m northwest of the scheme extents.

Drumochter Hills Site of Special Scientific Interest (SSSI) lies approximately 300m northwest of the scheme extents.

No other designated sites lie within 2km of scheme extents.

### Records

The National Biodiversity Network (NBN) Atlas holds no record of any protected species within 2km of the schemes in the last 10 years (only records with open-use attributions (OGL, CCO, CC-BY) were included in the search criteria) ([NBN Atlas](#)).

However, numerous bird species were recorded on NBN Atlas within the same search criteria and under the Wildlife and Countryside Act 1981 (as amended), all wild birds and their active nests are protected.

The NBN Atlas was also searched using the same criteria for invasive non-native species (INNS) of plants and injurious weeds. No injurious weeds were recorded, however, there was one record of giant hogweed (*Heracleum mantegazzianum*) approximately 50m south of scheme extents.

Transport Scotland's Asset Management Performance System (AMPS) was also checked using the above criteria. No INNS/injurious weeds were recorded within 300m of scheme extents.

Habitat in the surrounding area include rough grazing areas, sparse tree coverage, and some riparian habitat along the River Garry and its tributaries.

The Ancient Woodland Inventory (AWI) holds no records of woodlands within 300m of the scheme's footprints ([NatureScot](#)).

There are no areas of woodland or individual trees covered by a Tree Preservation Order (TPO) within 300m of the scheme extents ([Perth and Kinross Council](#)).

Considering the fairly open landscape in proximity and the moderate traffic density at the scheme extent, 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. There is potential for mammal activity within pockets of woodland, however it is unlikely that any permanent shelter features will be situated in close proximity to the A9. Therefore, a field survey has been ruled out, and a desktop study has been deemed sufficient for this assessment.

## Geology and soils

The schemes do not lie within a Geological Conservation Review Site (GCRS), or within a geologically designated Site of Special Scientific Interest (SSSI) ([NatureScot](#)).

Soils within the scheme extents are recorded as peaty gleyed podzols. Both schemes are located within a 'Class 5' category of carbon and peatland importance, which relates to peat soil types. With no peatland habitat recorded ([Scotland's Soils](#)).

Bedrock within the scheme extents is recorded as 'Gaick Psammite Formation', which is a metamorphic bedrock ([BSG Geology Viewer](#)).

Superficial deposits within scheme extents is noted as 'Hummocky (moundy) Glacial Deposits' (diamicton, sand and gravel), which is a sedimentary superficial deposit ([BSG Geology Viewer](#)).

The works are restricted to previously engineered ground within the A9 carriageway boundary. No soil/earth works are required, and there are no areas designated for

geological features in proximity to scheme extents. As such, no change to geology and soil is expected and 'geology and soils' are scoped out and is not discussed further within this RoD.

## Material assets and waste

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

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

As the value of each scheme does not exceed £350,000 and as such Site Waste Management Plans (SWMPs) are not required.

The schemes involve the removal of the surface course and localised areas of binder course. Planings will be reused under SEPA approved methods in accordance with the Paragraph 13 exemption, described in Schedule 3 of the [Waste Management Licensing Regulations](#) (exemption numbers: Scheme 1 - WML/XS/2008347, Scheme 2 - WML/XS/2009181).

No site compound is required for these works. Storage of plant and equipment will be within TM on the A9 carriageway.

## Noise and vibration

Residential, community and commercial receptors – refer to the 'Population and Human Health' section below.

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

The nighttime modelled noise level (L<sub>night</sub>) along the A9 within scheme extents range between 50-60 decibels ([Scotland's Environment](#)). Baseline noise levels at the scheme extents are likely to be primarily influenced by traffic along the A9. Secondary sources are derived from the Highland Main (rail) Line, which lies parallel to the A9 carriageway, approximately 45m southwest of the scheme at its closest point. As such, railway movements will also have an impact on local noise levels.

In 2022, the average annual daily flow (AADF) of traffic was measured on the A9 carriageway approximately 6km east of scheme extents (Site: 40725), and accounted for 9,996 vehicles, including 1,877 (18.8%) heavy goods vehicles (HGVs) ([Road Traffic Statistics](#)).

## Population and human health

There are approximately six residential properties within 300m of scheme extents, which are all form a part of 'Dalnaspidal Lodge and Farm'. All of these properties lie approximately 290m southwest of scheme extents, with a band of coniferous woodland and vegetation providing some acoustic and visual screening from the works.

There are no core paths ([Perth and Kinross Council](#)) or walking routes as listed on WalkHighlands ([WalkHighlands](#)) within 300m of scheme extents.

National Cycle Network Route 7 ([OS Maps](#)) lies within 300m of the scheme. This cycle route runs adjacent to the A9 carriageway, approximately 10-20m south throughout the scheme extents.

Traffic management (TM) will utilise nighttime lane closure with a convoy system in place.

## Road drainage and the water environment

The River Garry (from Loch Garry to Garry intake) (ID: 6912) is a river classified by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) which lies within 300m (approximately 100m south) of scheme extents. This river was assessed by the SEPA in 2022 as having 'poor ecological potential' ([SEPA Water Classification Hub](#)).

Several minor waterbodies, considered a tributaries or drainage ditches, lie within 300m of scheme extents, with many of these being culverted under the A9 carriageway within scheme extents.

The schemes are located within the 'Rannoch' groundwater body, which was classified by SEPA in 2022 as having an overall status of 'good' ([SEPA Water Classification Hub](#)). This groundwater body is also recorded as a Drinking Water Protected Area (DWPA) (Ground) ([Scotland's Environment](#)).

No surface water DWPA's are recorded within 300m of the scheme.

There is a small area of the A9 carriageway within scheme extents is highlighted as having a medium likelihood of surface water flooding (0.5% chance of flooding each year) ([SEPA Flood Maps](#)).

## 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<sup>2</sup> emissions

by 80% before 2050 (from the baseline year 1990). The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to bring the target of reaching net-zero emissions in Scotland forward to 2045 ([Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#)).

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

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

## **Policies and plans**

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

## Description of main environmental impacts and proposed mitigation

### Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. The main sources are likely to be dust generated by cold milling in preparation of carriageway resurfacing, as well as exhaust emissions from ancillary plant and vehicles. As a result, there is potential for dust, particulate matter, and exhaust emissions to be emitted to the atmosphere. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air are considered to be low.

- A water-assisted dust sweeper will sweep the carriageway after dust-generating activities, and waste will be contained and removed from site as soon as is practicable.
- Materials that have a potential to produce dust will be removed from site as soon as possible, and vehicles that remove cold-milled material from site will have sheeted covers.
- Ancillary plant, vehicles and non-road mobile machinery (NRMM) will have been regularly maintained, paying attention to the integrity of exhaust systems.
- Ancillary plant, vehicles and NRMM will be switched off when stationary to prevent exhaust emissions (e.g., there will be no idling vehicles).
- Cutting, grinding, and sawing equipment (if required) will be fitted or used in conjunction with suitable dust suppression techniques e.g., local exhaust ventilation system that fits directly onto tools.
- Regular monitoring (e.g., by engineer or Clerk of Works) will take place when activities generating air pollution are occurring. In the unlikely event that unacceptable levels of air pollution are emanating from the site, the operation will, where practicable, be modified and re-checked to verify that the corrective action has been effective. Actions to be considered include: (a) minimizing cutting and grinding on-site, (b) reducing the operating hours, (c) changing the method of working, etc.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Material stockpiles will be reduced as far as is reasonably practicable by using a 'just in time' delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.

- Materials will 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)

## Landscape and visual effects

There will be a short-term impact on the landscape character and visual amenity of the site as a result of the presence of construction plant, vehicles, and TM.

However, people, ancillary plant, vehicles, NRMM and materials are restricted to areas of made/engineered ground on the A9, and construction works are programmed to be undertaken at night on a rolling programme. As such, the visual impact of the works will be reduced. Upon completion of the works, no residual impacts are anticipated e.g., when complete the visual appearance will remain largely unaffected, with a renewed road surface being the only discernible change. Cairngorms National Park will be notified of the proposed works and advised of any road closures/diversion routes in advance of the works.

In addition, the following mitigation measures will be put in place during works:

- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- Works will avoid encroaching on land and areas where work is not required or not permitted. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape will be reinstated as much as is practicable.
- The site will be left clean and tidy following construction.

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

## Biodiversity

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

The Drumochter Hills SAC and SPA lie approximately 300m northwest of the scheme extent. The Drumochter Hills SSSI covers the same area and also lies approximately 300m northwest of the scheme extent.

BEAR Scotland produced a Habitats Regulations Appraisal (HRA) in 2023 covering a range of maintenance activities (including resurfacing works) with connectivity to the Drumochter Hills SAC and SPA European Sites. The HRA Proforma outlines standard good practice measures to reduce the risk of pollution or disturbance to qualifying features of these designated sites and concluded that none of the proposed maintenance works would result in Likely Significant Effects (LSE) on the qualifying features of these sites. The HRA Proforma was approved by NatureScot and Transport Scotland as the Competent Authority. All relevant good practice measures will be detailed in the SEMP and adhered to during works. As such, no significant impacts on the Drumochter Hills SAC and SPA European Sites are anticipated by virtue of the following factors:

- All works are minor, transient, highly localised, and restricted to the A9 carriageway surface with only resurfacing being undertaken. There will be no in-stream works; therefore, no direct impacts to any of the above European sites are anticipated.
- There is no requirement for land take (or resources) or site clearance from within the sites and no works are required within any part of the site boundaries.
- Standard good practice measures to prevent pollution and reduce noise and lighting associated with works will be in place.
- The works will not result in significantly higher levels of noise or lighting than existing levels of traffic on the A9.
- Works will not promote the known negative pressure on the various designated species.
- No significant dust, particulate matter, and exhaust emissions sources will be introduced by the works, and standard pollution prevention measures will be in place during works.

One record of giant hogweed, which is an INNS, was identified during the desktop study 50m south of the scheme. However, the works are confined to the trunk road surface, there is no requirement to import or excavate the topsoil. As such, there is limited potential to spread or introduce INNS, invasive native perennials, or injurious flowering plant species.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the Site Environmental Management Plan (SEMP) and adhered to on site. Any protected species in the area are likely to be accustomed to road noise on the A9 and the schemes are of short duration (6 nights

for each scheme) and will be undertaken on a rolling programme. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- Works will be strictly limited to areas required for access and to carry out the works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- All construction operatives will be briefed through toolbox talks prior to works commencing, which will be included in the SEMP. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species.
- Site personnel will remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species will be reported to the BEAR Scotland Environmental Team.
- Artificial lighting will be directed away from areas of woodland and waterbodies as far as is safe and reasonably practicable.
- Personnel will remain vigilant for the presence of INNS or injurious weeds in road verges throughout the works period. Should any INNS be identified in working areas, works will be restricted to a 7m buffer of any growth where reasonably practicable.
- A 'soft start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.
- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g. storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level will be provided, allowing free passage for mammals and preventing entrapment.

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

## **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 should 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 and Dispose) will be employed throughout the construction works.
- The subcontractor will adhere to waste management legislation and ensure they comply with their Duty of Care.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.
- Road planings will be re-used or recycled under a SEPA Paragraph 13(a) waste exemption and in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings.
- All wastes and unused materials must be removed from site in a safe and legal manner by a licensed waste carrier upon completion of the works. The appointed waste carrier must 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 must be present on site and be available for inspection. A copy of the Duty of Care paperwork should 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. 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 planing 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 schemes have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. However, the works are not located within a CNMA or CQA and the proximity of road space suggests that residents within the local area will have a degree of tolerance to noise and disturbance. Works will also be completed over 6 nights (for either of the scheme) on a rolling programme, with the aim being to complete the noisiest works by 23:00. Works with the potential to induce worst-case scenario noise and vibration will also be intermittent, temporary, transient and short-lived.

The road surface is in a poor condition, with a series of defects. Replacing the life-expired surface course with TS2010 road surfacing affords the benefits of a reduction in mid-to-high frequency traffic noise and a reduction in ground vibrations. As a result, upon completion of the work, noise associated with the movement of vehicles on the trunk road should decrease post construction.

The following mitigation measures will be put in place:

- Where possible, the noisiest work operations (e.g., cold milling, using breakers (jackhammers), chipping hammers, use of rollers, etc.) will be completed before 23:00.
- The Environmental Health Officers (EHO) from Perth and Kinross Council will be notified of works.
- Local residents which are affected by the works will be notified in advance of the works, likely by a letter drop, which will contain details of the proposed

timings and duration of the works, in addition to contact details for the Site Supervisor.

- The Best Practice Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum. On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.
- Drop heights from vehicles and NRMM will be kept to a minimum to minimise noise when unloading.
- All plant, machinery and vehicles will be switched off when not in use.
- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

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

## **Population and human health**

During construction, activities undertaken on site have the potential to have temporary adverse impacts on local residents, vehicle travellers, and NMUs. No significant congestion issues are noted during the proposed construction hours; however increased journey times may occur, but these are considered insignificant considering the relatively low traffic counts and works being undertaken out of the traffic peak hours. In the event of local access restrictions to residential properties, access will be granted as requested. Access to NMU facilities which lie within 300m of the scheme, will be maintained and the works are being undertaken at night when footfall and cyclist count is at its lowest.

Multiple residential properties are found within 300m of scheme extents. The nearest residential property lies 290m from Scheme 1 with coniferous woodland and vegetation providing acoustic and visual screening, however, as works are due to take place at night times, there is potential for disturbance from noise, vibration and construction lighting.

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

- The works schedule and any changes to this will be communicated to local residents prior to and throughout the programme.

- Given the proximity of urban development to the scheme extents, the Toolbox Talk TTN-042 Being a Good Neighbour will be briefed prior to works commencing.
- Construction lighting will consider the need to avoid illuminating surrounding environment to avoid a nuisance at night, and non-essential lighting will be switched off at night.
- Appropriate provisions / measures will be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- Journey planning information will be available for drivers online at the [trafficscotland.org](http://trafficscotland.org) website. Journey planning information will also be available for drivers online through BEAR Scotland's social media platforms.

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

## Road drainage and the water environment

There is potential for temporary impacts on the water environment due to operation of plant within and within proximity to watercourses and/or drainage systems, which may lead to potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain). No in-water works will take place and there is no requirement for the abstraction or transfers of water from, or discharges to, a waterbody. As such, the potential for a direct pollution incident within a waterbody is unlikely. Experience gained from BEAR Scotland maintenance schemes elsewhere on the network has shown that where standard good working practice is adopted (e.g., adherence to SEPA good practice guidance, utilisation of drain covers or similar, etc.), water quality is protected.

The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- The schemes will not entail any in-stream works.
- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works in or near water will be detailed in the SEMP and adhered to on site.
- No discharges into any watercourses or drainage systems 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 will be logged and reported. In the event of any spills into the water environment, all works will stop and the incident will be reported to the project manager and the BEAR Scotland Environmental Team. SEPA will be informed of any such incident as soon as possible using the SEPA Pollution Hotline.
- All plant and equipment will be regularly inspected for any signs of damage and leaks. A checklist will be present to make sure that the checks have been carried out.
- Storage of hazardous material, oil and fuel containers will be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers will be stored on an impermeable area and be fully bunded. This will be distanced more than 10m from any watercourses.
- During refuelling of smaller mobile plant, a funnel will be used, and drip trays will be in place. Care will be taken to reduce the chance of spillages. Spill kits will be quickly accessible to capture any spills should they occur. The ground / stone around the site of a spill shall be removed, double bagged and taken off site as special contaminated waste.
- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded then drip trays 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 works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. The following mitigation measures will be put in place:

- BEAR Scotland will adhere to their Carbon Management Policy.
- 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 disposed at local landfill.

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.

## Vulnerability of the project to risks

There will be no change to the likelihood of flooding on the A9 within the scheme extents upon completion of the works.

Works are restricted to areas of made ground on the A9 carriageway surface, with access to both schemes gained via the A9. TM will employ lane closures facilitated by a convoy system. Local residents will be notified of working hours and provided with appropriate contact information.

A Traffic Management Plan (TMP), which includes measures to avoid or reduce disruption to road traffic, will be produced in accordance with the Traffic Signs Manual (Department of Transport 2009). The TMP will ensure that there is no severance of community assets, access routes or residential development.

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

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 Perth & Kinross Council Planning Portal ([Map Search](#)) identified no approved planning applications within 300m of the scheme within the last year.

A search of the Scottish Roads Works Commissioner website ([Map Search](#)) has identified no other roadworks noted as being planned, on the trunk road at the same time as these schemes. 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 TM. As a result of this exercise, where a potential for cumulative impacts is identified, BEAR Scotland will reprogramme schemes to avoid / limit any cumulative effects or will utilise existing TM to complete multiple schemes at once. This approach allows BEAR Scotland to effectively manage the potential cumulative effects as a result of TM, resulting in minimal disruption to users of the Scottish trunk road network.

Overall, it is unlikely that the proposed works will have significant cumulative effects with any other future works in the area.

## Assessments of the environmental effects

As detailed in the Description of Main Environmental Impacts and Proposed Mitigation section within this Record of Determination, there are no significant effects anticipated on any environmental receptors as a result of the proposed works. A Habitat Regulations Appraisal has determined that the works will not result in Likely Significant Effects on designated features of the Drumochter SAC and SPA.

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

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

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment (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:

- Works are restricted to like-for-like replacement of worn road surface, with all works restricted to made ground on the A9 carriageway.
- Construction activities are restricted to a total area of 2.55ha along the A9 for a length of 2,819m.
- Works are not expected to result in significant disturbance to nearby receptors or protected species that may be present in the wider area.
- INNS are not expected to be present within the scheme extent. However, if any are found on site, measures to prevent potential INNS spread will be implemented.
- The risk of major accidents or disasters is considered to be low.
- No INNS have been recorded within the scheme extents.

- Residual impacts are considered to be beneficial for the travelling public which may use this stretch of carriageway. In addition, improved road surface will reduce the road noise levels and in turn will reduce disruption to the receptor located in proximity to the scheme.

Location of the schemes:

- The schemes are located within the existing A9 road boundary (carriageway surface) and as such, no land take will be required.
- Both schemes are located within the Cairngorms National Park. Works entail like-for-like resurfacing and no change to the visual landscape is expected.
- Drumochter Hills SAC, and SPA lie within 2km of the scheme. An HRA Proforma was produced in 2023 which concluded that the proposed works will not result in LSE on the qualifying features of these European sites (or the associated SSSI). The HRA Proforma was approved by NatureScot and Transport Scotland as the Competent Authority.
- One HER/Canmore partly lies within scheme extents (an old military road); however, the works will not have an impact on this feature.
- The site compound will be located on made ground within TM.

Characteristics of potential impacts of the schemes:

- 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.
- Works are programmed to take 6 nights to complete for each scheme on a rolling programme, with the aim being to complete the noisiest works by 23:00.
- The SEMP will include plans to address environmental incidents.
- Mitigation measures detailed above and, in the SEMP, will be put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.
- 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.
- No in-combination effects have been identified.

## References of supporting documentation

BEAR Scotland. 2023. Roads and Bridges Maintenance Activities within the Drumochter Hills, River Spey and River Spey - Insh Marshes European Sites, Highland Region Habitats Regulations Appraisal (HRA) Proforma - Rev 2.0.

## 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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