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Environmental Impact Assessment Record of Determination

A889 Dalwhinnie Distillery – Resurfacing & Layby Improvements

Contents

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out resurfacing and layby improvement works on a section of the A889 trunk road at Dalwhinnie Distillery (see Figures 1 and 2 below). The resurfacing works involve the resurfacing and partial reconstruction of the A889 northbound (NB) and southbound (SB) carriageways at the scheme extent. Surface course will be replaced to a depth of 30mm; binder course to a depth of 50mm; and base course to a depth of 70mm. Road markings and studs will also be reinstalled. The layby improvement works (adjacent to the SB carriageway) involve the excavation of the embankment to the east of the layby and the replacement of this with a new 'Flex' mechanically stabilised earth (MSE) Retaining Wall system. A new fence line, new footway and new drainage will be installed and the layby will be resurfaced. Landscaping will be required as part of the works, involving vegetation clearance and tree felling. The entire scheme is 1,193m in length and 0.88 hectares.

Resurfacing works are currently programmed to begin around October 2024 and layby improvement works programmed for November 2024. Resurfacing works will be carried out over 7 nights between the hours of 19.00-06.00; and layby improvement works will be carried out during day time working hours (07.00-18.00). The duration of the layby improvement works is yet to be confirmed.

Traffic management (TM) is currently anticipated to consist of full road closures with diversions in place. Pedestrians and local access will be accommodated within the TM as much as is reasonably practicable.

Location

The scheme is located on the A889 at the small village of Dalwhinnie, near Dalwhinnie Distillery, in the Highland Council Local Authority (grid reference: NN 63674 84696 - NN 64087 85704).

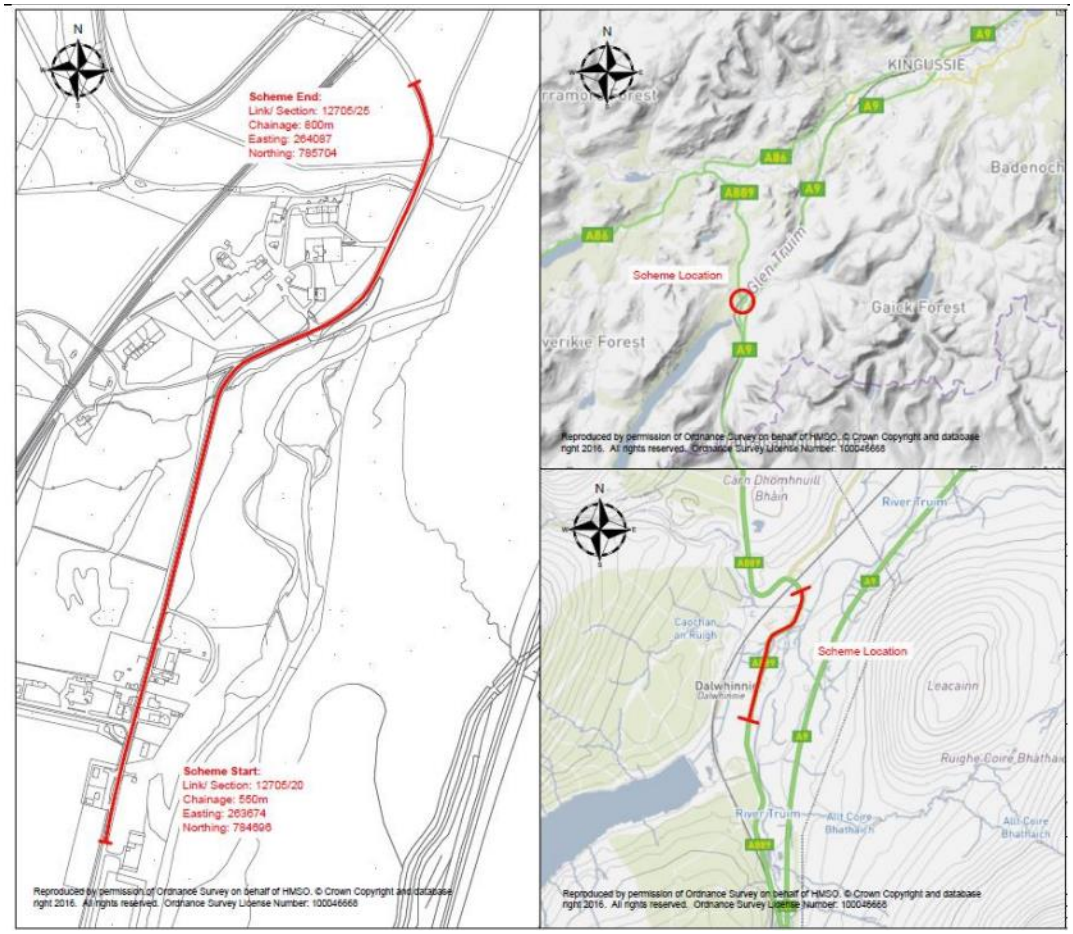

Figure 1: Scheme location

Figure 1: Location of layby works within scheme extent

Description of local environment

Air quality

There are no Air Quality Management Areas (AQMA) in within 10km of the scheme extent.

There are no registered sites on the Scottish Pollutant Release Inventory (SPRI) located within 10km of the scheme.

There are no Air Quality Monitoring Stations (AQMS) located within 10km of the scheme extent.

Baseline air quality is likely to be primarily influenced by traffic along the A889 and nearby A9.

Cultural heritage

A desktop study of Historic Environment Scotland's data on SE Map found the following features of cultural heritage within 300m of the scheme:

- 14 Canmore records, six of which lie within the footprint of the scheme extent:
    - Dalwhinnie to Fort Augustus Military Road
    - Sluic Bridge
    - Dalwhinnie village x2
    - Caochan Bridge
    - Dunkeld-Dalnacardoch-Ruthven-Aviemore-Inverness Military Road
- 2 Category B Listed Buildings, both of which form part of Dalwhinnie Distillery and lie approximately 50m west of the scheme at its closest point.

There are no World Heritage Sites; Scheduled Monuments; Gardens and Designed Landscapes; Battlefields; or Conservation Areas located within 300m of the scheme.

Landscape and visual effects

The Scheme is located within the Cairngorms National Park, site code 8623. The National Park has the following list of 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

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

The surrounding land is a mix of grazing pastures; arable land; moorland; montane scrub; mixed woodland, including forestry plantations; and freshwater habitat.

The A889 Trunk Road connects Dalwhinnie with Laggan Bridge, predominantly acting as a link between the A9 and A86 Trunk Roads. It commences at (but excludes) its junction with the A9 at Dalwhinnie leading generally northwards for a distance of 14 kilometres to (but excludes) its junction with the A86 at Laggan Bridge. The A889 is a single carriageway along its length.

Biodiversity

The scheme is located approximately 30m west of the River Spey Special Area of Conservation (SAC) and approximately 1km north-west of the Drumochter Hills SAC and Special Protection Area (SPA).

Due to proximity and ecological connectivity of the works to the above designated sites, a Habitats Regulations Appraisal (HRA) Proforma has been produced and consultation with NatureScot has been carried out. Refer to the relevant assessment section below for details.

A Preliminary Roost Assessment (PRA) and Preliminary Ecological Assessment (PEA) was conducted on 18 July 2024.

The scheme lies approximately 1km north-west of the Drumochter Hills Site of Special Scientific Interest (SSSI's) which overlaps with the Drumochter Hills SAC and SPA.

The National Biodiversity Network (NBN) Atlas holds 37 records of bird species within 2km of the scheme (the search criteria included only records during the past ten years, and which have open-use attributions (OGL-CCO-CC-BY). Under the Wildlife and Countryside Act 1981 (as amended), all wild birds and their active nests are protected, with certain species receiving additional protections.

The NBN Atlas has no records of invasive non-native species (INNS) or injurious weeds under the same search criteria, however, this does not preclude their presence in the area.

A search using Transport Scotland's Asset Management Performance System (AMPS) returned no records of INNS within 300m of the scheme.

Habitat in the surrounding area is dominated by grazing pastures; arable land; moorland; montane scrub; mixed woodland, including forestry plantations; and freshwater habitat.

There are no areas of woodland as listed on the Ancient Woodland Inventory (AWI) within 300m of the scheme extent.

There is are no areas of trees covered by a Tree Preservation Order (TPO) by Highland Council within 300m of the scheme extent.

Geology and soils

The scheme does not lie within a Geological Review Site (GCRS) or SSSI designated for geological features (NatureScot).

Component soils around the scheme extent are described as humus-iron podzols with mineral alluvial soils with peaty alluvial soils. The parent material is fluvioglacial and raised beach sands and gravels derived from acid rocks (Scotland's Soils).

The bedrock geology for the majority of the scheme extent is Gaick Psammite Formation-Psammite, a metamorphic bedrock. The superficial deposits are alluvium-clay, silt, sand and gravel (sedimentary deposits). Two small areas towards the north of the scheme have the same bedrock geology, however, the superficial deposits are River Terrace Deposits- gravel, sand, silt and clay (British Geological Society).

Material assets and waste

The proposed resurfacing works are required to resurface the worn carriageways (NB and SB) and adjacent layby, remove the surface course and repair structural defects. Road markings and studs will also be installed. Materials used will consist of:

- Asphaltic materials (TS2010 surface course and warm mix AC20 binder course and warm mix AC32 base course)
- Milled in road studs
- Thermoplastic road marking paint.

The proposed layby improvement works involve the excavation and replacement of the existing embankment with a Flex MSE Retaining Wall system; as well as the installation of a new fence line, new footway and new drainage system. Materials will consist of:

- Flex MSE Retaining Wall bags
- Sub-base material
- Fence posts and rails
- Kerbs
- Concrete
- Gully chambers/gratings
- Carrier pipes

As the value of the scheme exceeds £350,000, a Site Waste Management Plan (SWMP) will be completed. Wastes are anticipated to be road planings from the surface course, which will be recovered for re-use 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 the Paragraph 13 (a) waste exemption issued by SEPA, as described in Schedule 3of the Waste Management Licensing Regulations 2011 (exemption number: WML/XS/2008301).

No site compound is required for these works. Storage of plant and equipment will be within TM on the A889 carriageway.

Noise and vibration

For 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 Transport Scotland's Transportation Noise Action Plan (TNAP) 2019-2023.

There is no noise modelled data for the A889 carriageway at the scheme extent (SE Map).

Baseline noise levels are likely to be primarily influenced by traffic travelling along the A889 and the nearby A9.

Population and human health

The scheme lies in the small, rural settlement of Dalwhinnie. Adjacent to the SB carriageway, there are several industrial properties, 4 residential properties and Dalwhinnie village hall. Adjacent to the NB carriageway, there is Dalwhinnie Distillery and 5 residential properties. There are several other residential and commercial properties in the wider area.

Adjacent to the NB carriageway, there are 3 local access points, 1 junction leading into wider Dalwhinnie and 2 junctions for Dalwhinnie Distillery. Adjacent to the SB carriageway, there are 6 local access points, 1 farm access and 1 junction leading to residential properties. There is also a parking layby adjacent to the SB carriageway near Dalwhinnie Distillery.

There is a pedestrian footway adjacent to the NB carriageway from the south-end of the scheme extent up to the first junction leading to Dalwhinnie Distillery. There is no pedestrian footway adjacent to the SB carriageway.

The A889 for the entirety of the scheme extent, forms part of National Cycle Route 7 (Sustrans).

There are 4 Core Paths within 300m of the scheme extent, one of which leads west off of the NB carriageway (path reference: UBS35).

The Highland Mainline Railway runs parallel to the scheme extent and approximately 320m to the west.

There are two designated walking routes (Walk Highlands) approximately 300m to the west of the scheme:

- Dalwhinnie to Culra, 16km in length
- The Fara, Dalwhinnie, 21.5km in length

TM will involve night-time road closures with diversions in place.

Road drainage and the water environment

The scheme extent and surrounding area is underpinned by the Upper Spey Sand and Gravel groundwater body (ID: 150814) which is 252.4 square kilometres in area. In 2022, this was assigned ‘Good Ecological Potential’ by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD).

River Truim from source to Allt Cuaich confluence, is a river (ID: 23638) in the River Spey catchment of the Scotland river basin district. The main stem is approximately 15.6km in length. The river runs parallel to the scheme at a distance of approximately 30m east at its closest point; and forms part of the River Spey SAC. The River Truim has been designated as a heavily modified water body on account of physical alterations that cannot be addressed without a significant impact on water storage for hydroelectricity generation. In 2022, it was assigned 'Moderate Ecological Potential' by SEPA under the WFD.

Caochan an Ruigh and Allt an t-Sluic water bodies run from west to east into the River Truim and are culverted underneath the A889 at the scheme extent. There are also several other unclassified water bodies, drains, springs and ponds within proximity to the scheme.

SEPA Flood Map has highlighted a medium-high likelihood of river water flooding within the footprint of the scheme extent (i.e. a 0.5-10% chance of flooding) each year.

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 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 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 breaking out of materials or 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).

Cultural heritage

Although there are 16 records of cultural heritage interest within 300m of the scheme extents and six undesignated features lie within the scheme extent; any excavation works associated with the scheme are restricted to the already engineered carriageway boundary and verge, and as such the potential for exposure of unrecorded cultural heritage features is considered to be negligible; construction of the A889 road corridor, including the layby, is likely to have removed any archaeological remains that may have been present.

As standard, the following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- There will be no storage of vehicles, plant, or materials against any buildings, walls or fences.
- Should any unexpected archaeological evidence be discovered, works will stop temporarily in the vicinity and the BEAR Scotland NW Environment Team contacted for advice.
- People, plant, and materials will, 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 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

For the A889 resurfacing works, 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 will be restricted to areas of made/engineered ground on the A889 and the works will be undertaken at night on a rolling programme. As such, the visual impact of the resurfacing works will be somewhat reduced and there will be no residual impacts i.e. when complete, the visual appearance will remain largely unaffected, with a renewed road surface being the only discernible change.

However, the layby improvement works will be undertaken during the day and will involve alterations to the existing embankment and habitat, including landscaping, tree felling and vegetation clearance. Furthermore, the installation of a new footway, new drainage, replacement of the embankment and a new fence line will permanently alter the visual landscape. Any changes will be localised to the area of works only and will be in keeping with the surrounding environment.

Consultation with The Cairngorms National Park Authority (CNPA) will be undertaken.

To mitigate these impacts as much as possible, the following 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

The scheme is located 30m west of the River Spey SAC at its closest point. It is also located approximately 1km north-west of the Drumochter Hills SAC/SPA and SSSI.

Maintenance activities such as resurfacing are covered under the existing BEAR Scotland's Roads and Bridges Maintenance Activities within the Drumochter Hills, River Spey and River Spey-Inshes Marshes European Sites, Highland Region Habitats Regulations Appraisal Proforma (June 2023)'; however, the layby improvement works which form part of this scheme are not included. Therefore a

HRA was conducted for the layby improvement works which concluded that there would be no adverse effects on site integrity due to:

- The Protected Species Toolbox Talk will be included in the Site Environmental Management Plan (SEMP) and provided to all site staff prior to works commencing.
- The working area and any machinery stored on site will be checked at the start of each shift for the presence of mammals. A soft start will be implemented to ensure a gradual increase in noise and activity.
- Any excavations, entrances to pipes/drains, or areas where an animal could be 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 becoming trapped.
- If excavations (e.g., trenches) cannot be covered, escape ramps will be installed to allow trapped animals to escape.
- If fencing is used at any point during works, a gap of 200mm from ground level will be provided, allowing free passage and preventing entrapment.
- If animals are observed in the area of works prior to works starting, no works will commence until they have moved at least 50m away.
- If animals are observed during works, all works will cease until they have moved at least 50m away.

Additionally, no cumulative or in-combination effects of the works on any of the designated sites were identified.

In general, activities associated with the resurfacing works undertaken on site could potentially have a temporary adverse impact on biodiversity in the wider area as a result of an increased vehicle presence and the potential for noise and light disturbance to protected species and pollution of habitats. There is also the potential for adverse impacts associated with the layby improvement works, which involve vegetation clearance, tree felling, landscaping and excavating.

The scheme is located wholly within Cairngorms National Park. Resurfacing works will be restricted to like-for like replacement of the A889 carriageway. However, the layby improvement works will involve earth works, excavating, tree felling, vegetation clearance, landscaping and replacement of the existing embankment. A PEA and PRA has been conducted to determine any potential impacts on protected species/habitats in the area and the Cairngorms National Park Authority will be consulted with prior to works.

The tree felling works are restricted to immature self-sown birch along the trunk road boundary. In addition, the trees were assessed to be young (approximately 10 years old), of low ecological value, with no defined tree trunks and with no connectivity to a

wider woodland habitat. The trees however have potential to support shelter for commuting and foraging bird species and provide habitat for bird nests; therefore, if the works are to be delayed in to the bird breeding season (March to August inclusive), a nesting bird check prior to the works commencing will be undertaken.

Due to the limited verge area along the scheme extents, it is not proposed to re-plant felled trees. However, it is expected that the road verges at the scheme will self-seed with locally dominant tree and shrub species such as birch.

No INNS or invasive perennial records were returned during the desktop study or during the PEA and, as such, potential disturbance and/or spread of INNS during the works is negligible.

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.

The following mitigation measures will be put in place in addition to the measures detailed above:

- 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.

Geology and soils

Resurfacing works will be restricted to the A889 carriageway, and as such are not anticipated to result in change to or have an adverse impact on geology and soils. However, the layby improvement works include excavations and landscaping and the following mitigation measures are required:

- 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) will be reinstated as much as is practicable.
- Topsoil and subsoil reused on site will be spread evenly in a single layer <200mm in height to ensure the soil profile is maintained across the works location.
- Multiple handling of soil derived from excavations will be minimised.
- Topsoil reused on site will not be traversed by heavy machinery.
- The Silt Toolbox Talk will be included in the Site Environmental Management Plan and delivered on site.
- The extent and duration of exposed soil will be kept to the minimum required for the works.
- 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 will 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 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 will 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.

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 scheme 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, and the proximity of road space suggests that residents within the local area will have a degree of tolerance to noise and disturbance. Layby improvement works will be carried out during the day and resurfacing works will be completed over 7 nights 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 Highland Council will be notified of works.
- Local residents (i.e., those within 300m) 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 Practicable 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.
- Operatives will be briefed using the ‘Being a Good Neighbour’ toolbox talk prior to commencement of the works.
- 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 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. Some access points are located within the scheme extent, however local access will be granted where required.

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 limited 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:

- Notification will be issued to local residents and local public transport operators prior to commencement of the works, advising of any proposed works and expected restrictions.
- Local access will be granted as required.
- Any changes of schedule (e.g. change from night-time works to daytime works) will be communicated to local residents throughout the programme.
- 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 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 proximity to watercourses, 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 works may result in potential direct or indirect effects on 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-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 will be 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 will be removed, double bagged and taken off site as special 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 will 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 removed to local waste management facilities.

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 A889 within the scheme extents upon completion of the works.

Works are restricted to areas of made ground and associated layby on the A889 trunk road, with access to the scheme gained via the A889. TM for the resurfacing works will involve night time road closures with diversions in place. Local residents will be notified of working hours and provided with appropriate contact information. Pedestrians or other NMUs will be accommodated within the TM setup.

The works will not result in any change in vulnerability of the A889 carriageway or active travel route to risk, or in severity of major accidents/disasters that would impact on the environment.

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 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 Highland Council Planning Portal identified no approved planning applications within 300m of the scheme within the last six months.

A search of the Scottish Roads Works Commissioner website (Map Search) has identified that there are no roadworks planned for the same period as the proposed works and 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 Scotland 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 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 HRA was conducted due to proximity and ecological connectivity with the River Spey SAC, Drumochter Hills SAC and Drumochter Hills SPA which concluded that there will be no adverse effects on site integrity.

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 situated in whole within the Cairngorms National Park, which is a sensitive area 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 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 an area of 0.88 ha along the A889 for a length of 1193m.
- Works are not expected to result in significant disturbance to nearby receptors or protected species that may be present in the wider area, out with those detailed in the HRA Proforma AA.
- No INNS have been recorded within the scheme extents.
- The risk of major accidents or disasters is considered to be low.

- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- 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. Furthermore, improvements to the layby will ensure safety of layby users.

Location of the scheme:

- The scheme will be located within the existing A889 trunk road boundary (carriageway surface and layby verge).
- The scheme is located within the Cairngorms National Park. Resurfacing works entail like-for-like resurfacing and no change to the visual landscape is expected. Layby improvement works will minorly change the visual landscape and the Cairngorms National Park Authority will be consulted on the works.
- The scheme is located 1km from the Drumochter Hills SPA/SAC/SSSI and 30m from the River Spey SAC. A HRA Proforma and Appropriate Assessment has been conducted and NatureScot consulted.
- There are 6 Canmore records which lie within the footprint of the scheme extent; however, the construction of the A889 trunk road is likely to have removed any archaeological remains that may have been present.
- The site compound will be located on made ground within TM.

Characteristics of potential impacts of the scheme:

- Measures will be in place to ensure appropriate removal and disposal of waste.
- Works are programmed to be of short duration and layby improvement works will be carried out during the day. Night time resurfacing works will be completed 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.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.

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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