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CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A828 Appin Footway Improvements

Contents

Project Details

Description

The scheme consists of resurfacing existing footway, replacement of existing tactile paving and installation of drop kerbs in the village of Appin. In addition, a new footway 40m in length will be installed along the A828. The total length of the scheme is approximately 460m. Approximately 50m^3 of excavation is required for the construction of the new footway.

The proposed works are anticipated to last 4 weeks and would be undertaken during the hours of 07:00 – 19:00. Traffic management will consist of lane closures with two-way traffic lights. Alternative pedestrian routes will be included in the traffic management setup.

Location

The scheme is located in the village of Appin, approximately 17km north of Oban (Figure 1).

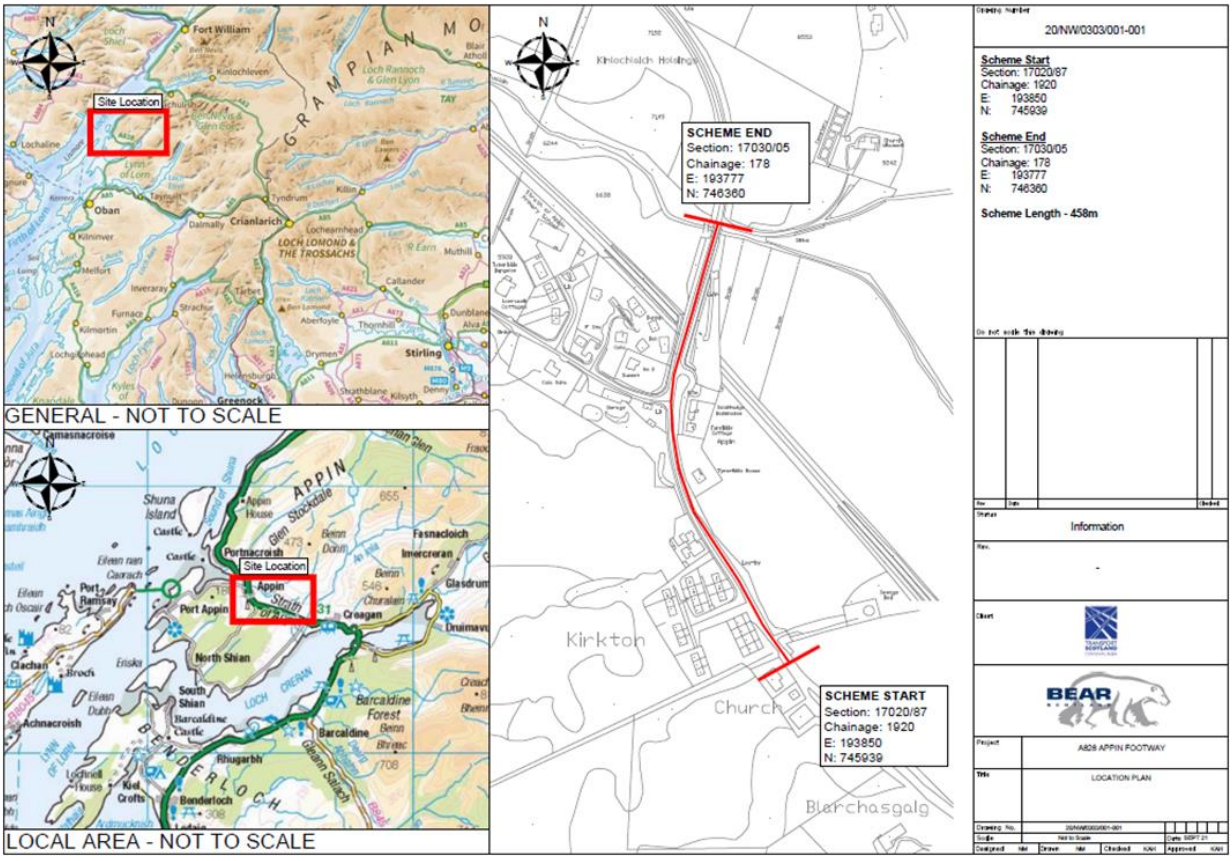

Figure 1. Location of the scheme.

Description of local environment

Air quality

The project is not located within any Air Quality Management Area (AQMA) (Air Quality Scotland). No air quality monitoring stations are located in the vicinity of the proposed scheme (Air Quality Scotland). The nearest air quality monitoring site to the scheme is located in Fort William, approximately 34km north east of the scheme (Air Quality in Scotland). At the time of writing, this monitoring station recorded an air pollution level of 'Low'.

Air quality within the scheme extent is likely to be primarily influenced by road traffic in the area and anthropogenic activities within Appin.

Cultural heritage

There are no cultural heritage assets located within the footprint of the proposed scheme. There are several cultural heritage assets noted on the Historic Environment Record and Canmore database within 300m of the proposed scheme. In addition, the following designated cultural heritage assets are located within 300m of the proposed scheme:

- Bank House Post Office, Category B 18th century house, 13m from works location
- Kinlochlaich House, Category B 19th century house, 260m from works location
- Old Parish Church, scheduled monument, 150m from works location

Landscape and visual effects

The scheme lies within the north eastern boundary of the Lynn of Lorn National Scenic Area (NSA) (SiteLink), which is designated for the following qualities:

- A long-inhabited, green oasis
- A small scale, low-lying landscape within a vast highland backdrop
- A landscape strongly orientated northeast-southwest
- The coastline of great variety and diversity
- A strategic location, rich in history
- A place of retreat and seclusion
- Castle Stalker, one of Scotland's iconic romantic images.

The Landscape Character Type (LCT) is Lowland Ridges and Moss (no. 51) (NatureScot National Landscape Character Assessment), which has the following key characteristics:

- Coastal lowland with low ridges separating narrow, linear glens or flat areas of moss.
- Ridges form low, narrow peninsulas enclosing small, horseshoe-shaped bays.
- Rocky ridges are densely wooded and linear glens are a patchwork of marginal pastures.
- Shoreline and off-shore islands have a more undulating landform and a more open character.
- Landform becomes lower and ridges less pronounced towards the south, where there are extensive areas of flat, peaty moss.
- Some relatively large houses in sheltered coves, with scattered, more recent development elsewhere.

Biodiversity

There are parcels of woodland located approximately 100m west of the scheme recorded on the Ancient Woodland Inventory of Scotland and noted as 'Ancient (of semi-natural origin)' (Scotland's Environment).

The following Invasive Non-Native Species (INNS) (NBN Atlas, BSBI Atlas) and injurious weeds have been recorded within 2 km of the proposed scheme in the past 10 years:

- Rhododendron (*Rhododendron ponticus*)
- Japanese knotweed (*Reynoutria japonica*)
- Himalayan balsam (*Impatiens glandulifera*)
- Broad-leaved dock (*Rumex obtusifolius*)
- Curled dock (*Rumex crispus*)
- Common ragwort (*Senecio jacobea*)
- Rosebay willowherb (*Chamerion angustifolium*)
- Spear thistle (*Cirsium vulgare*)
- Creeping thistle (*Cirsium arvense*)
- Field horsetail (*Equisetum arvense*)

A review of NBN Altas data and Google Street View data from 2021 (Google Maps), shows that none of the INNS recorded within 2km of the scheme are located in the vicinity of the proposed scheme.

The habitat surrounding the scheme is characterised by road infrastructure and buildings associated with the village of Appin. Habitat south west of the scheme is a mosaic of non-riverine woodland with birch, aspen or rowan, and temperate shrub heathland. Habitat east of the scheme is mostly agriculturally improved, re-seeded and heavily fertilised grassland, including sports fields and grass lawns, and temperate shrub heathland (Scotland's Environment).

Geology and soils

The scheme is not located within a Geological Conservation Review Site (GCRS) (NatureScot SiteLink).

Bedrock geology within the proposed scheme extents is recorded as Leven Schist Formation - Banded Pelite and Banded Semipelite, and Semipelite, Quartzite and Pelite (BGS GeoIndex), which are metamorphic bedrock. Superficial geology within the scheme extent is recorded as Alluvium - Clay, Silt, Sand and Gravel and Raised Marine Deposits – Clay, Silt and Sand (BGS GeoIndex).

Soils recorded within the immediate vicinity of the scheme are mineral podzols (Scotland's soils).

Material assets and waste

The proposed works are required to resurface the worn footway surface and tactile paving. A new length of footway will also be installed. Materials used will consist of:

- Asphaltic material
- Bituminous emulsion bond coat

Wastes are anticipated to be planings from the excavated footway surface course. All excavated material will be re-used immediately within the scheme extents.

Noise and vibration

There are no designated Candidate Noise Management Areas (CNMAs) or Candidate Quiet Areas (CQAs) (Scottish Government noise maps) within proximity to the works location. The existing noise climate is influenced by the traffic on the existing surrounding infrastructure and anthropogenic activities in the surrounding area.

Population and human health

The scheme lies in the village of Appin. There are multiple residential and commercial properties located in the vicinity of the scheme.

NCN Route 78, the Caledonia Way, crosses the A828 within the proposed scheme extents (OS Maps). The Caledonia Way is a 235-mile long cycle route that runs from Campbeltown to Inverness. This route is also a core path C152(b) (ID: 16041) which runs from Oban to Appin (Scotland's Environment).

The closest traffic count point (ID: 40796) on the A828 is located approximately 5km south east of the scheme extents (Road traffic statistics). In 2020 the number of vehicles recorded at this count point was 2,516, of which 100 were heavy goods vehicles. It should be noted that due to the COVID-19 pandemic, the average annual daily flow (AADF) of traffic was lower in 2020 than 2019. In 2019, an AADF of 2,879 was recorded, of which 148 were heavy goods vehicles.

Road drainage and the water environment

The scheme is located within a Drinking Water Protected Area (Ground) (Scottish Government): Lismore and Port Appin groundwater waterbody (ID: 150570) (SEPA). This groundwater waterbody was classified by SEPA in 2020 as having an overall status of "Good".

An unclassified waterbody, Allt an Loin Ruaidh, crosses the A828 within the proposed scheme extents and discharges into Loch Linnhe (South) (ID: 200081) approximately 400m north-west of the scheme. Loch Linnhe is a coastal waterbody in the Scotland river basin district and was classified by SEPA in 2020 as having overall status of 'Good' (SEPA).

There is a high likelihood of river flooding (each year this area has a 10% chance of flooding) in the northern extent of the proposed scheme (SEPA Flood Map).

Climate

The Climate Change (Scotland) Act 2009 creates mandatory climate change targets to reduce Scotland's greenhouse gas emissions. BEAR Scotland has a Carbon Management Policy in place with the core aim of reducing the carbon footprint which is measured and reported annually.

Policies and plans

- The Climate Change (Scotland) Act 2009
- Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR)
- Control of Substances Hazardous to Health (COSHH) Regulations 2002 (as amended)
- Roads (Scotland) Act 1984
- The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017
- Environmental Protection Act 1990

Description of main environmental impacts and proposed mitigation

Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. Activities undertaken on site may cause dust and particulate matter to be emitted to the atmosphere. However, given the scale and duration of the works, and the following mitigation measures, the likelihood of significant impacts on air quality is considered to be low.

- All plant, machinery and vehicles associated with the scheme must be maintained to the appropriate standards. All plant, machinery and vehicles must be switched off when not in use.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Material stockpiles will be reduced as much as reasonably practicable by using a 'just in time' delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials should be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.

With the above mitigation measures in place, it is anticipated that any air quality effects associated with the proposed works are unlikely to be significant. This receptor is not considered further in this Record of Determination (RoD).

Cultural heritage

The proposed scheme works will be restricted to the footways adjacent to the carriageway. The proposed works are not anticipated to have an adverse impact on cultural heritage as there are no recorded features of cultural heritage within the works footprint. The following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- Should any unexpected archaeological evidence be discovered, works will stop temporarily in the vicinity and the BEAR Scotland Environment Team contacted for advice.
- People, plant, and materials should, 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 should be

reduced as must as is reasonably practicable and ideally be limited to access on foot.

- There should be no storage of vehicles, plant, or materials against any buildings, walls or fences.

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

Landscape and visual effects

There is potential for minor, temporary visual impacts to Lynn of Lorn National Scenic Area during the construction phase as a result of littering, or obstructed views due to vehicles and machinery. However, proposed works will be restricted to the footway of the A828 and land use will not change as a result of the works. The following mitigation measures will be put in place:

- Throughout all stages of the works, the site must be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- The working area and site compound location will be appropriately reinstated following works.
- Works are to avoid encroaching on land and areas where work is not required or does not have permission to do so. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape should 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 proposed scheme has the potential to have a temporary adverse impact on biodiversity in the area as a result of increased vehicle presence, noise disturbance pollution of habitats and the risk of INNS spreading. The proposed scheme will require minor excavation works, however considering the nature and scale of the works and that INNS have not been recorded in the immediate vicinity of the proposed works, the risk of INNS spreading is considered to be low and no additional surveys are required prior to the works. Additionally in the event that INNS are found on site, mitigation measures related to the INNS will be implemented and

all construction operatives will be briefed through toolbox talks for INNS prior to works commencing. Pollution controls and good practice measures to reduce impacts of works will be detailed in the SEMP and adhered to on site. Any protected species in the area are likely to be accustomed to road noise on the A828 and the scheme is of short duration. The following mitigation measures will be put in place:

- Site personnel should remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works should temporarily halt until the species has sufficiently moved on. Any sightings of protected species should be reported to the BEAR Scotland Environmental Team.
- All construction operatives are to be briefed through toolbox talks prior to works commencing. The toolbox talks provide information of the legislation, general ecology, and best practice measures for relevant protected / invasive non-native species.
- Works are to be strictly limited to areas required for access and resurfacing works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- 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 must be provided, allowing free passage for mammals and preventing entrapment.
- 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.
- The proposed works are not permitted to disturb or operate within the immediate proximity (i.e. within 7m) of any INNS. If INNS are identified on site that are required to be disturbed by the proposed works, then contact should first be made with BEAR Scotland’s Environmental Team for advice on proceeding.
- Any equipment, machinery, vehicles, or footwear that has had contact with INNS must be washed down and inspected prior to leaving site to ensure no INNS material leaves site.

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

Construction activities are mostly located within the existing footway and there is minor excavation planned, related to the footway milling and the new section of footway. These activities are restricted to made ground and are not anticipated to have an adverse impact on geology and soils. With the following mitigation measures in place, the likelihood of significant impacts on geology and soils is low.

- The parking of machinery/personnel and storage of equipment on road verges will be minimised as far as is reasonably practicable.
- Upon completion of the works, any damage to the local landscape (i.e. damage to grass verges) should be reinstated as much as is practicable.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.

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

Material assets and waste

There is potential for impacts as a result of resource depletion through use and transportation of new materials. However, materials will be sourced locally where possible and the following mitigation measures will be put in place:

- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Care will be taken to order the correct quantity of required materials to prevent the disposal of unused materials.
- Where possible, minimal packaging 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.
- 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 any hazardous or special waste is produced, this will be subject to the Control of Substances Hazardous to Health (COSHH) Regulations 2002 (as amended) should be removed from site by a specialised waste carrier. COSHH waste should not be mixed with general waste and/or other recyclables. Any contaminated ground as a result of the works should be removed and transferred off site as special waste.

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 works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works are anticipated to take place during daylight hours. The proposed scheme is anticipated to result in temporary minor adverse noise impacts. The following mitigation measures will be put in place:

- The Best Practice Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum.
- On-site construction tasks should 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.
- 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 should 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, pedestrians, cyclists and road users as a result of vehicle noise and delays due to traffic management measures. Local residents will be informed of the proposed works via letter, which will contain a contact email address. Road users will be notified of the works through a media release, which will provide information on the works including details of construction dates and times. The following mitigation measures will be put in place:

- Appropriate provisions / measures should be implemented within the traffic management to allow the safe passage of pedestrians, cyclists, equestrians and community (PCEC) road users, of all abilities, through the site.
- Works will be carried out during daylight hours.

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

Construction activities are located in the immediate vicinity of the Allt an Loin Ruaidh, which is connected to the Loch Linnhe (South). Potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain or tidal movements) during works have the potential to have a direct or indirect effect on the surrounding waterbodies. The following mitigation measures will be put in place:

- A spillage control procedure must be in place and all staff should be trained on how to deal with spillages.
- Suitable spill kits must be present on site and staff should know how and when to use them.
- Storage of Control of Substances Hazardous to Health (COSHH) material, oil and fuel containers should be distanced more than 10m away from any watercourses.

- If required, a designated refuelling area must be identified. Fuel bowsers should be stored on an impermeable area and be fully bunded. This should be distanced more than 10m from any watercourses.
- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and must have bunding with a capacity of 110%. If these are not bunded then drip trays should also be supplied beneath the equipment with a capacity of 110%.
- During refuelling of smaller mobile plant, a funnel must be used, and drip trays must be in place. Care must be taken to reduce the chance of spillages. Spill kits must be quickly accessible to capture any spills should they occur. The ground / stone around the site of a spill must be removed, double bagged and taken off site as special contaminated waste.
- All plant and equipment must be regularly inspected for any signs of damage and leaks. A checklist must be present to make sure that the checks have been carried out.
- 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 Site Environmental Management Plan (SEMP) and adhered to on site.

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.
- BEAR Scotland undergo annual CEEQUAL Assessment.

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

Major Accidents and Disasters

There is a high likelihood of river flooding (each year this area has a 10% chance of flooding) in the northern extent of the proposed scheme.

The works will be restricted to the carriageway area and any traffic management will be designed in line with existing guidance. The proposed works are anticipated to last 4 weeks and would be undertaken during the hours of 07:00 – 19:00. Traffic management will consist of lane closure with two-way traffic lights. Alternative pedestrian routes will be included in the traffic management setup, to minimise impact of the works on local community.

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

Assessment of cumulative effects

The proposed works are not anticipated to have significant effects. Due to the nature of the proposed works no cumulative effects are anticipated with any other developments in the vicinity. There are no other schemes planned in the vicinity of the scheme (Argyll and Bute Planning Portal). Any future BEAR Scotland schemes will be programmed to take into account already programmed works, and as such any cumulative effect will be limited. Overall, it is unlikely that the proposed works will have a significant cumulative effect.

Assessments of the environmental effects

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

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

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) are situated in whole or in part in Lynn of Lorn National Scenic Area 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:

- The works will be temporary, localised and will be completed during daylight hours.
- Containment and biosecurity measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.

Location of the scheme:

- Although the works lie within the Lynn of Lorn National Scenic Area, impacts to the landscape designation during the construction phase will be minor, temporary and not considered significant. In addition, no operational impacts are anticipated.
- Although there will be minor change of the road verges, the verge is considered to be a part of the road infrastructure, therefore land use will not change as a result of the works.
- The site compound will be located on made ground.

Characteristics of potential impacts of the scheme:

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

Annex A

"sensitive area" means any of the following:

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

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