



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A85 Lochearnhead Footway

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Project Details

Description

BEAR Scotland have been commissioned by Transport Scotland to carry out footway works along the A85 at Lochearnhead. The scheme consists of resurfacing existing footway, replacement of existing tactile paving, installation of new kerbing, upgrade of existing crossing points, and installation of a new crossing point in the village of Lochearnhead. In addition, a section of new footway will be installed along the westbound carriageway of the A85. The total length of the scheme is approximately 281m and some excavation work is required for the construction of the new footway. Tree felling is not required to facilitate works.

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 single 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 Lochearnhead, approximately 25km west of Crieff (Figure 1).

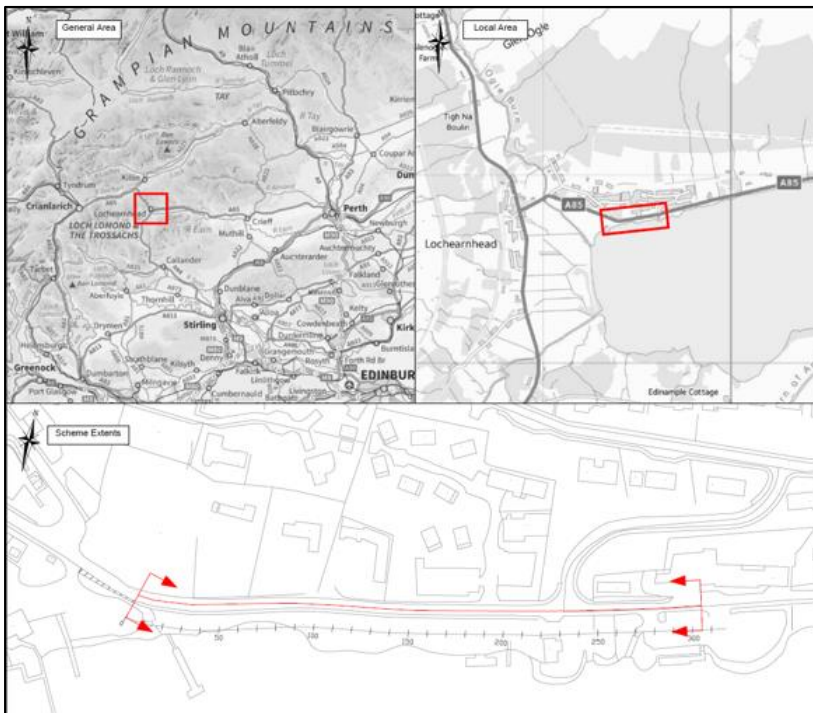


Figure 1. Location and scheme extent of the proposed footway works at A85 Lochearnhead. Source: BEAR Scotland. General Arrangement. Drawing 21NW/0303/012-002.

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 Crieff, approximately 35km east of the scheme ([Air Quality Scotland](#)). At the time of writing, this monitoring station recorded an air pollution level of 'Low'.

There are no sites registered on the Scottish Pollutant Release Inventory (SPRI) ([Scotland's Environment](#)) within 1 km of the scheme.

Air quality is mainly influenced by road traffic in the area and anthropogenic activities within Lochearnhead.

Cultural heritage

According to Historic Environment Scotland's PastMap ([PastMap](#)), there are two Listed Buildings within 300m of the scheme extents:

- Lochearnhead, Auchraw Terrace, Wester Auchraw Croft, Category B, 135m from scheme;
- Lochearnhead, Auchraw Terrace, Wester Auchraw Croft, Category B, 225m from scheme.

Of lesser cultural heritage value, seven Historic Environment Records (HERs) and six Canmore National Records (CNRs) lie within 300m of the scheme extents ([PastMap](#)). There is no connectivity between the scheme and the noted cultural heritage records, as the nearest of these, CNR 'Lochearnhead, Auchraw Brae, Marie Stuart Hotel Cottage' (Reference: 316750) lies outwith the trunk road boundary, approximately 35m north of the scheme.

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

Landscape and visual effects

The scheme lies within Lochearnhead, with urban development north of the A85 and Loch Earn, including its lakeshore habitat, to the south. Urban development in proximity to the scheme is a mixture of residential properties with relatively large proportion of business premises such as hotels and guest houses. The scheme

extent overlooks Loch Earn, which is a centre for water sports, such as water skiing, kayaking and scuba diving, making the area a popular destination for tourists. Within a wider area, the scheme extent is surrounded by munros such as Ben Vorlich and Stùc a' Chroin. Land cover within the scheme includes transport networks and other constructed hard-surfaced areas ([Scotland's Environment](#)). The land cover surrounding the scheme is dominated by a mixture of agriculturally improved, re-seeded and heavily fertilised grassland, including sports fields and grass lawns and buildings of cities, towns and villages / low density buildings ([Scotland's Environment](#)).

The scheme extent is located within the Loch Lomond & The Trossachs National Park (LLTNP) ([SiteLink](#)), which is designated for the following general qualities ([SiteLink](#); NP Special Qualities):

- A world-renowned landscape famed for its rural beauty
- Wild and rugged highlands contrasting with pastoral lowlands
- Water in its many forms
- The rich variety of woodlands
- Settlements nestled within a vast natural backdrop
- Famous through-routes
- Tranquillity
- The easily accessible landscape splendour

The LLTNP was consulted during the pre-works planning stage.

The A85 trunk road runs from Perth to Fort William and is an important route for commercial, commuter, tourist and local traffic within Scottish Highlands.

Biodiversity

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

There are no records on the NBN Atlas of invasive non-native species (INNS) of plants, as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (WCA), and injurious weeds, as listed under the Weeds Act 1959, or an invasive native perennial, as listed in the Trunk Road Inventory Manual were found using the same search criteria ([NBN Atlas](#)).

Due to the proximity of the works to Loch Earn and the potential for protected species to be present on site, a Preliminary Ecological Appraisal (PEA) was carried out by BEAR Scotland on 9th August 2022. The shore of Loch Earn was not fully accessible during the survey; however, no evidence of protected mammals was found and no resting places were identified within the survey area where access was possible. The PEA noted some suitable foraging and commuting habitat for otter along the shore of Lochearnhead, but the loch banks in proximity to the scheme did not provide suitable structure for otter resting places. No trees with potential bat roost features were identified within 30m of the scheme extent. The surrounding trees may provide suitable habitat for nesting birds; however, the works will take place out of the bird nesting season (March to August inclusive). Some Rhododendron (*Rhododendron* sp.) plants and rosebay willowherb (*Chamaenerion angustifolium*) were identified outside the footprint of works, but no other INNS or injurious weeds were found during the survey.

Geology and soils

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

The bedrock underlying the scheme is comprised of Loch Tay Limestone Formation (metalimestone) ([BGS GeoIndex](#)). The superficial geology underlying the scheme is comprised of Till and Morainic Deposits (undifferentiated) (diamicton, sand and gravel) ([BGS GeoIndex](#)).

The Generalised Soil Type beneath the scheme extents is Mineral Podzols. The Major Soil Group is Podzols ([Scotland's Soils](#)).

Material assets and waste

The scheme is executed by the operating company as site operations e.g. 'As-of-Right' scheme of value less than £350,000. As a result, a Site Waste Management Plan (SWMP) is not required.

The proposed works are required to resurface existing footway, replace existing tactile paving, install new kerbs, and upgrade and install crossing points. In addition, a new length of footway will be installed along the westbound carriageway of the A85. Materials used will consist of:

- kerbs
- bituminous material
- tactile paving
- sub-base

Wastes are anticipated to be planings from the footway surface course and excavated earth material from the construction of a new footway. Excavated earth will be re-used where possible with surplus being disposed in a licensed waste facility.

Noise and vibration

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

There is no noise modelled data available for the study area ([Scotland's Noise Scotland's Environment](#)). However, given the rural nature of the area, and the low Average Annual Daily Traffic (AADT) ([Road traffic statistics](#)) flow, it is considered likely that noise levels will be low, with noise levels mainly influenced by vehicles travelling along the trunk road/local roads and anthropogenic activities associated with Lochearnhead.

Population and human health

The scheme extent lies within Lochearnhead; as such approximately seventy residential/commercial properties lie within 300m of the scheme. Properties are mainly located along the eastbound carriageway, north of the scheme and tend to face onto the trunk road with no or only limited screening provided by topography, ornamental shrubs and/or hedging/fencing.

There are no National Cycle Network Routes ([OS Maps](#)), Core Paths ([Scotland's Environment](#)) or walking routes as listed on WalkHighlands ([WalkHighlands](#)) within the scheme extent. Sections of paved pedestrian footways lie adjacent to both sides of the carriageway within the scheme extent.

The closest traffic count point (ID: 80382) on the A85 is located approximately 2.5km east of the scheme extents ([Road traffic statistics](#)). In 2020 the number of vehicles recorded at this count point was 1,153, of which 59 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 AADT flow of 1,655 was recorded, of which 71 were heavy goods vehicles.

Road drainage and the water environment

There are no surface waterbodies classified by Scottish Environmental Protection Agency ([SEPA](#)) that are spanned or culverted beneath the scheme extents.

Loch Earn, a classified waterbody (ID: 100251), lies approximately 15 m south, at its nearest point, to the scheme extents. Loch Earn is a loch in the River Earn catchment of the Scotland river basin district and is 9.5 km² in area. The waterbody has been designated as a heavily modified waterbody on account of physical

alterations that cannot be addressed without a significant impact on water storage for hydroelectricity generation. Loch Earn has been assigned a Water Framework Directive 2000/60/EC (WFD) overall classification of 'Good' ([SEPA water environment hub](#)), an overall ecological classification of 'Moderate' ([SEPA water classification hub](#)), and a classification of 'High' ([SEPA water environment hub](#)) for fish migration.

The scheme lies on the 'Killin, Aberfeldy and Angus Glens' groundwater ([SEPA water classification hub](#)), which has been classified as 'Good'.

The A85 within the scheme extents has a medium risk of river flooding (0.5% Annual Exceedance Probability (AEP), 1-in-200-year flood event) ([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 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 outwith these areas is required for the safe and effective completion of the scheme, it should be reduced as much 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 LLTNP 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 A85 and land use will not change as a result of the works. Consultation with LLTNP confirmed that the park supports the proposed works and does not have any concerns in regard to landscape impacts on the LLTNP. In addition, the following mitigation measures will be put in place during works:

- 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.

As no concerns have been raised by LLTNP and 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

Although there is some suitable habitat for protected species in the vicinity of works, the PEA did not identify any field signs or resting places of protected species. No tree felling will be carried out to facilitate works and the scheme has been programmed for Autumn 2022, which is outside of the bird breeding season. Works will be carried out during daylight hours for a duration of approximately four weeks, and any protected species that may be in the vicinity are likely to be accustomed to road noise on the A85. No INNS, injurious weeds, or invasive native perennials were identified within the construction footprint or access routes for works. The proposed scheme will require minor excavation works, however considering the nature and scale of the works and that INNS have not been noted 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. Pollution controls and good

practice measures to reduce impacts of works will be detailed in the Site Environmental Management Plan (SEMP) and adhered to on site. In addition, 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 species and/or INNS.
- Works are to be strictly limited to areas required for access and footway 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.
- No tree felling will take place during works.

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 construction of 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.
- Excavated material will be contained and removed from site to a licensed waste facility.
- Footway 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 any hazardous or special waste is produced, this will be subject to the Special Waste Regulations 1996 and will be removed from site by a licenced waste carrier. Special waste will not be mixed with general waste and/or other recyclables. Any contaminated ground as a result of the works will 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. The following mitigation measures will be put in place:

- Local residents will be notified of the impending works. Information will provide contact details (office phone number and e-mail address) for the Project Engineer as well as a 24-hour contact number for the BEAR Scotland Control Room.
- Any changes of schedule (e.g. change to night-time works programme) must be communicated to local residents throughout the programme.
- Works will be carried out during daylight hours.
- 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.
- 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 BEARs 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

Construction activities are located 10m to 15m north of the Loch Earn. 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.
- While carrying out footway works, every effort must be made to prevent the mobilisation of sediment and the release of sediment or pollutants into the water

environment. Toolbox Talk TTN 012 'Sediment Pollution' will be briefed to all personnel on-site prior to works commencing.

- Suitable spill kits must be present on site and staff should know how and when to use them.
- Storage of hazardous 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 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 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.
- The works will be undertaken utilising a day-time work pattern (07:00 – 19:00) and any requirement for additional lighting is anticipated to be limited. In addition, 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.
- BEAR Scotland participate in CEEQUAL.

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

Major Accidents and Disasters

The A85 within the scheme extents has a medium risk of river flooding (0.5% Annual Exceedance Probability (AEP), 1-in-200-year flood event).

Works are restricted to the made/engineered ground of A85 carriageway 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

There are no anticipated 'in-combination' effects based on the information currently available. Discussion with BEAR Design Teams, for example, established that there are no projects confirmed that may result in an 'in-combination' effect.

A search using Stirling Council 'Simple Search' ([Stirling Council, Planning, Simple Search](#)) identified that there are no planning applications within 300 m of the scheme.

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 part in a sensitive area (Loch Lomond & The Trossachs National Park) 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 total working area is less than 1 ha.
- No evidence or resting places of protected species were identified during the PEA and tree felling is not required. Works are not expected to result in significant disturbance to protected species in the wider area.
- No INNS were identified within the works footprint during the PEA. In the event that INNS are found on site, measures to prevent potential INNS spread will be implemented.
- The works will be temporary, localised and will be completed during daylight hours.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.
- No in-combination effects have been identified.
- The risk of major accidents or disasters is considered to be low.

Location of the scheme:

- Although the works lie within the LLTNP, no concerns were raised during consultation with the LLTNP and 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.

The scheme is located within the village of Lochearnhead and will improve the safety and accessibility of pedestrian infrastructure for the local community. Characteristics of potential impacts of the scheme:

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