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Environmental Impact Assessment Record of Determination

A95 Cromdale to Advie Embankment and Drainage Works

Contents

Project Details

Description

The works will comprise of embankment stabilisation and drainage improvements along a stretch of the A95 carriageway. This section of the carriageway has a history of landslips associated with poor drainage; therefore, verge widening, drainage installation and embankment stabilisation are required to improve slope stability and site drainage.

The proposed activities are as follows:

- Installation of Traffic Management (TM);
- Removal of eight trees within the embankment, comprising of mixed woodland including silver birch (*Betula pendula*), Douglas fir (*Pseudotsuga menziesii*), and willow sp. (*Salix sp.)* (to be undertaken as preparatory works, prior to the main works beginning);
- Topsoil stripping of the embankment, extending to 2m back from the ditch network;
- Infilling of embankment to achieve a 1:3 slope (approx. 850m3 of material), comprising of 6F5 granular fill and topsoil;
- Installation of headwall at the base of embankment, including swale connection to the existing ditch;
- Installation of pipework from top of the embankment to headwall;
- Installation of filter drain and three manholes in the northbound (NB) verge adjacent to carriageway;
- Excavation of the carriageway (one lane at a time), to a width of approx. 5m, to facilitate replacement of culvert, with all works limited to the carriageway boundary and the banks of the field drain, and no works taking place within the field drain extents;
- Backfilling and reinstatement of carriageway following culvert replacement, with reinstatement works limited to the carriageway and adjacent field drain banks;
- Reinstatement and revegetation of the embankment base and face; and
- Removal of TM.

The following plant/machinery/vehicles may be used throughout the scheme:

- Excavator;
- Dump truck;
- Chainsaw;

- Grab;
- Stihl saw; and
- Cement mixer.

The works are scheduled to be completed within the 2026/2027 financial year (ending on 1st April 2027) for a duration of three weeks, with works being undertaken during day-time hours.

Traffic management for the scheme is likely to entail a two-way temporary traffic light system for the majority of the three weeks, with an expected road closure lasting five days. A temporary diversion route will be implemented through Tomintoul via the A939 and B9008 carriageways to maintain traffic flow during the works.

Location

The scheme is approximately 3,900m^2 in size, located along the A95 carriageway, approximately 1.1km northeast of the village of Cromdale, Highland. The approximate National Grid References (NGRs) are detailed below:

- Scheme start: NJ 08402 30006
- Scheme end: NJ 08349 29846

The scheme location is illustrated in Figure 1:

Figure 1. Scheme Location.

Description of local environment

Air quality

Baseline air quality levels are likely to be influenced by traffic volumes and associated emissions from the A95 carriageway and surrounding agricultural activities. The Annual Average Daily Flow (AADF) in 2024 for the A95 carriageway, located approximately 5km southwest of the scheme (estimated count point ID: 10866), accounted for 3,160 vehicles, with 402 of these being Heavy Goods Vehicles (HGVs).

There are two properties within 200m of the works, with the closest located approximately 88m north of the works. There are no non-residential air quality sensitive receptors within 200m of the scheme.

Highland Council has not declared any Air Quality Management Areas (AQMAs). No real-time air quality monitoring stations are present within 200m of the scheme extents.

The Scottish Pollution Release Inventory (SPRI) has not identified any polluting facilities within 1km of the scheme extents.

Cultural heritage

A desk-based assessment was undertaken using PastMap. A study area of 300m was used for designated cultural heritage assets and an area of 200m was used for non-designated cultural heritage assets.

Designated cultural heritage assets within 300m:

- Battle of Cromdale, Battlefields, 11m south

Non-designated cultural heritage assets within 200m:

- Battle Site, Battle of Cromdale, Historic Environment Record (HER), 11m south
- Pollowick, National Record of the Historic Environment (NRHE), 86m north

Landscape and visual effects

The area surrounding the A95 carriageway within the scheme extents consists of agricultural land with scattered residential properties and the River Spey to the east, and dense woodland to the west. The mature trees and scrub provide a slight

amount of screening from the A95 carriageway to the surrounding residential properties.

The scheme is located within the Cairngorms National Park (ID: 183408) (Scotland's Environment Map).

No National Scenic Areas (NSAs) or Garden Designed Landscapes (GDLs) have been identified within 500m of the scheme extents (PastMap, Sitelink).

Highland Council Core Paths have been identified within 500m of the scheme extents:

- CP (ID: LBS116a) is present within and adjacent to the scheme extents, crossing over the A95 carriageway; and
- CP (ID: LBS1i) is located approx. 255m north of the scheme, along the west bank of the River Spey.

Scotland's Landscape Character Type Map lists the landscape character type present within the scheme extents to be 'Undulating Wooded Farmland – Cairngorms' and can be categorised as the following:

- Undulating terrain of ridges, uneven terraces, knolls, gullies, gorges and hummocks enclosed by low ridges of hills.
- Generally well-wooded, with conifer forest on ridges and upper slopes, fragmenting into conifer shelter woods at lower levels.
- Individual and loose clumps of broadleaved trees and woodland between farms.
- Large forest trees, policy woodland and parkland related to Castle Grant, lodges and larger farms.
- Pastoral fields, with fenced or hedgerow edges, some reverting to wetland and rough grazing in less well-drained areas.
- Dispersed traditional farmsteads and newer houses on better drained higher land, linked by minor roads and a network of farm tracks.

Scotland's Historic Land-Use Map lists the land surrounding the scheme extents as rectilinear fields and farms, plantation, freshwater area, and rough grazing.

No trees under a Tree Preservation Orders (TPOs) have been identified within 500m of the scheme extents.

Scotland's Ancient Woodland Inventory has identified Tom an Uird Wood area of 'Long-Established (of plantation origin)' ancient woodland (site ID: 36) located adjacent to the scheme and overlaps with the scheme extents.

Biodiversity

The A95 carriageway verge within the scheme extents contains sporadic mature trees and scrub to the east and dense woodland to the west.

Scotland's Ancient Woodland Inventory has identified Tom an Uird Wood area of 'Long-Established (of plantation origin)' ancient woodland (site ID: 36) located adjacent to the scheme and overlaps with the scheme extents.

NatureScot's Sitelink has identified the River Spey Special Area of Conservation (SAC) located 200m north of the scheme and hydrologically connected to the scheme extents.

Due to the potential for likely significant effects on the designated European site, a Habitats Regulations Appraisal (HRA) has been undertaken for the scheme.

NatureScot's Sitelink has identified the River Spey Site of Special Scientific Interest (SSSI) (ID: 170091) located 200m north of the scheme and hydrologically connected to the scheme extents.

The NBN Atlas resource has not identified the presence of any Invasive Non-Native Species (INNS) within 500m of the scheme extents; however, it has identified the presence of Transport Scotland Target Species rosebay willowherb (*Chamaenerion angustifolium)* within 500m of the scheme extents.

Field Survey

Following a desk-based review, an Amey ecologist considered that a site visit was deemed necessary as the works involve vegetation cutback and excavation. A site visit was undertaken by Amey ecologists on 11th and 12th March 2026. This survey highlighted the following key constraints:

- The River Spey SAC is located 200m north of the scheme at closest point and is hydrologically connected by the drainage channel transversing the site from the small stone bridge culvert;
- A clear, shallow, slow flowing drainage channel approximately 1m wide runs from a culvert under a stone bridge carrying the A95 carriageway;
- Areas of grassland, scattered trees, scrub, and woodland are located within and adjacent to the scheme extents, including woodland associated with Tom An Uird Wood Ancient Woodland site;

Geology and soils

The scheme is not located within 200m of any Geological Conservation Review sites (GCRs), or Sites of Special Scientific Interest (SSSIs) designated for their geological significance (NatureScot's Sitelink).

The National Soil Map of Scotland lists the soil present within the scheme extents to be that of Humus-iron podzols.

Bedrock Geology:

Nethybridge Psammite Formation-Psammite. These rocks were sedimentary in origin but have subsequently undergone metamorphism.

Superficial Deposits:

River Terrace Deposits (Undifferentiated)-Gravel, sand, silt and clay. These sedimentary deposits are fluvial in origin. They are detrital, ranging from coarse- to fine-grained and form beds and lenses of deposits reflecting the channels, floodplains and levees of a river or estuary (if in a coastal setting).

Material assets and waste

Materials required are detailed below.

- Concrete;
- Granular material (6F5 capping/filter stone);
- Topsoil (sitewon material from scrape to be used as far as practical);
- Asphalt; and
- PVC drainage pipes.

Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications to reduce natural resource depletion and associated emissions.

Excavated material will be reused and backfilled on site.

A concrete mix using cement replacement products is proposed.

Filter stone may contain a percentage of recycled content from previous schemes.

A proportion of reclaimed asphalt pavement (RAP) is used in asphalt production. Typical RAP values for base and binder are 10% -15% with up to 10% in surface course.

Wastes

Anticipated wastes from the works are listed below.

- Felled trees; and
- Asphalt (50m length, 6m width of road to be excavated out and reinstated).

All waste leaving the site will be removed from site by a licence waste carrier. All waste documentation will be provided when requested.

Where practicable, excavated material will be reused on site for reinstatement. Any surplus excavated soils that cannot be reused will be removed from site by a licensed waste carrier; however, these may be recycled for use elsewhere on the road network where suitable.

All waste will be disposed of following regulations of the Environmental Authorisation (Scotland) Regulations 2018 (EASR).

Filter stone and soils will be reused and/or recycled in future schemes.

Uncontaminated road planings resulting from the required works will be fully recycled in accordance with the criteria stipulated within the Scottish Environment Protection Agency (SEPA) document 'Guidance on the Production of Fully Recoverable Asphalt Road Planings.

This scheme value is not in excess of £350k and therefore a Site Waste Management Plan (SWMP) is not required to be produced.

Noise and vibration

Baseline noise and vibration levels are likely to be influenced by vehicle traffic from the A95 carriageway and surrounding residential and agricultural activities. The AADF in 2024 for the nearest traffic count point on the A95 carriageway (estimated count point ID: 10866), accounted for 3,160 vehicles, with 402 of these being HGVs.

There are two properties within 300m of the works with the closest located approximately 88m north of the works. No non-residential noise sensitive receptors have been identified within 300m of the scheme extents.

Scotland's Noise Map has indicated modelled day-evening-night noise levels (Lden) in the areas surrounding the carriageway to be around 55-71 dB within 80m. Night-time noise levels (Lnight) surrounding the carriageway show levels of 47-62 dB within 80m.

The scheme is not located within a Candidate Noise Management Area (CNMA) as defined within the Transportation Noise Action Plan.

Population and human health

The scheme is located along a rural stretch of the A95 carriageway approximately 1.1km northeast of the village of Cromdale, Highland Council.

There are two properties located within 300m of the scheme extents, with the closest located 88m north of the works.

No educational, religious, medical or community facilities are located within 300m.

There is a farm located approximately 230m west of the scheme.

There are no National Cycle Network (NCN) routes or bridleways (RideMaps Scotland) within 300m of the scheme.

Highland Council Core Paths have been identified within 300m of the scheme extents:

- CP (ID: LBS116a) is present within and adjacent to the scheme extents, crossing over the A95 carriageway; and
- CP (ID: LBS1i) is located approx. 255m north of the scheme, along the west bank of the River Spey.

There are two bus stops or laybys located within the scheme extents, including: E Pollowick Road End Northbound (NB) and E Pollowick Road End Southbound (SB).

The A95 carriageway within the scheme extents is not street-lit and contains no pedestrian footways.

There are two single access points to adjacent property and forestry land are located within approximately 10m of the scheme extents.

There is a layby located along the SB lane of the A95 carriageway within the scheme extents.

The works will be fully contained within the carriageway boundary, requiring no land take from residential, agricultural, business, or community land.

Road drainage and the water environment

River Spey - R. Nethy to R. Avon (ID: 23096), a classified surface watercourse designated under the Water Framework Directive (WFD) is located approximately 88m north of the scheme extents at its closest point. It exhibits a ‘Good’ overall status under SEPA’s 2024 water classification data. This river is located within the

River Spey catchment of the Scotland river basin district. This is an inland surface water, not influenced by normal tidal action at this location (SEPA Water Classification Hub).

A minor, unnamed, unclassified (under the Water Framework Directive) watercourse/field drain traverses the scheme extents, flowing beneath the carriageway and discharges into the River Spey watercourse.

The groundwater conditions within the scheme extents (entitled 'Upper Spey Sand and Gravel', site ID: 150814) is noted as being in 'Good' condition under the WFD (SEPA Water Classification Hub).

There is no risk of surface water flooding or river flooding within the scheme extents (SEPA Flood Maps).

The scheme is located within the 'Upper Spey Valley' (ID: 150814) Drinking Water Safeguard Zone (Ground).

The scheme is not located within a Scottish Government Nitrate Vulnerable Zone (NVR).

Climate

Carbon Goals

The Climate Change (Scotland) Act 2009 Scottish Carbon Budgets Amendment Regulations 2025 sets out the statutory framework for reducing greenhouse gas (GHG) emissions in Scotland. The prior annual and interim targets have been replaced by five-year carbon budgets, which sets limits on the amount of GHGs that can be emitted in Scotland.

The carbon budgets are aligned with advice from the UK Climate Change Committee (CCC) and calculated in accordance with the 2009 Act. The 2025 Regulations define the baseline years for emissions reductions as 1990 for greenhouse gases including carbon dioxide, methane, and nitrous oxide, and 1995 for others such as hydrofluorocarbons, perfluorocarbons, and sulphur hexafluoride (as set out in Section 11 of the Act). The budgets are as follows:

- 2026 - 2030: Average emissions to be 50% lower than baseline.
- 2031 - 2035: Average emissions to be 60% lower than baseline.
- 2036 - 2040: Average emissions to be 80% lower than baseline
- 2041 - 2045: Average emissions to be 94% lower than baseline

These budgets are legally binding and will be supported by a new Climate Change Plan, which will outline the specific policies and actions required to meet the targets.

Transport Scotland remains committed to reducing carbon across Scotland's transport network, this commitment is being enacted through the Mission Zero for Transport. Transport is the largest contributor to harmful climate emissions in Scotland, representing for 37% nationwide, and Transport Scotland are committed to reducing their emissions by 50% by 2030. To support this, Transport Scotland's Fourth Carbon Management Plan is committed to reaching Net Zero emissions across corporate activities by 2027. This will contribute to achieving a legally binding target of net-zero by 2045.

Amey's Company Wide Carbon Goal is to achieve Scope 1 and 2 net-zero carbon emissions, with a minimum of 80% absolute reduction on our emissions by 2035. Amey is aiming to be fully net-zero, including Scope 3 emissions, by 2040.

Amey are working towards a contractual commitment to have carbon neutral depots on the NE NMC network by 2028. Amey have set carbon goals for the NE NMC contract as a whole to be net-zero carbon by 2032.

Monitoring, Management and Opportunities

To support our journey towards carbon neutral and zero waste we include potential opportunities for enhancement utilising circular economy principals within assessment of material assets.

Amey (working on behalf of Transport Scotland) undertake carbon monitoring. Emissions from our activities are recorded using Transport Scotland's Carbon Management System.

Further information identifying how Amey will obtain the above Carbon Goals can be viewed within the Carbon Management and Sustainability Plan Roadmap to net-zero: STRNMC – North East.

Policies and Plans

This Record of Determination (RoD) has been undertaken in accordance with Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017 (RSA EIA Regulations) along with Transport Scotland's Environmental Impact Assessment Guidance (Guidance – Environmental Impact Assessments for road projects (transport.gov.scot)). Relevant guidance, policies and plans accompanied with the Design Manual for Roads and Bridges (Design Manual for Roads and Bridges (DMRB)) LA 101 and LA 104 were used to form this assessment.

Description of main environmental impacts and proposed mitigation

Air quality

Impacts

- During the construction activities, including the embankment stabilization and drainage improvements, there is the potential for an increase in dust and emissions from plant and machinery. This may result in slight, temporary deterioration in air quality within the local area and could cause a nuisance due to increased dust.
- TM being implemented during the scheme may result in an increase in associated vehicle emissions through idling vehicles and increased congestion, particularly on diversion routes.
- All identified impacts are expected to be temporary, intermittent, and limited to the duration of the construction works. As such, no long-term changes in air quality are predicted.

Mitigation

- Best practice and measures as outlined in the 'Guidance on the assessment of dust from demolition and construction (January 2024)' published by the Institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:
    - The site layout will be planned (including plant, vehicles and Non-Road Mobile Machinery (NRMM)) so that machinery and dust causing activities are located away from receptors, as far as reasonably practicable;
    - Materials that have a potential to produce dust will be removed from site as soon as possible, unless being re-used on site (stockpiles will be covered or fenced to prevent wind whipping);
    - Cutting, grinding or sawing equipment will be fitted or used in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems;
    - Drop heights from conveyors and other loading or handling equipment will be minimised;
    - Vehicles carrying wastes and materials will be covered when entering and leaving the work area to prevent escape of materials during transport;
    - Equipment will be readily available on site to clean any dry spillages and spillages will be cleaned up as soon as reasonably practicable after the event using wet cleaning methods; and

  - When not in use, plant, vehicles and NRMMs will be switched off and there will be no idling vehicles.
- Plant, vehicles and Non-Road Mobile Machinery (NRMM) will be regularly maintained, paying attention to the integrity of exhaust systems to ensure such fuel operated equipment is not generating excessive fumes.
- Green driving techniques will be adopted, and effective route preparation and planning will be undertaken prior to works.
- Where possible, materials will be sourced locally.

With best practice mitigation measures in place, no significant effects are predicted on air quality. Therefore, in accordance with DMRB Guidance document LA 105: Air Quality no further assessment is required.

Cultural Heritage

Impacts

- There are two cultural heritage assets located approx. 11m south of the scheme, including the Battle of Cromdale battlefield and HER. While works will be contained within the carriageway boundary with no land acquisition, temporary minor impacts on the settling of the battlefield asset may occur during construction. However, these effects are anticipated to be short-term, localised and not significant. Historic Environment Scotland (HES) has been consulted regarding the scheme.
- Temporary, minor visual impacts may occur during construction as a result of the presence of operatives, plant, and vehicles and TM, however, these effects are short-term and localised to the scheme extents.
- There will be a short-term impact on the landscape character and visual amenity of the area due to the presence of construction vehicles and traffic management. However, this will be restricted to the existing A95 carriageway and will be limited to the short duration of the works.
- The original construction of the A95 carriageway is likely to have removed any archaeological remains that may have been present. Therefore, the likelihood of unknown archaeological remains within the works area, confined to the carriageway boundary has been assessed to be low.

Mitigation

- Site operatives will be made aware of the Battlefield sites and HER assets located within close proximity to the works area.
- Plant and machinery will be stored within the carriageway boundary as much as possible, ensuring they do not encroach on the identified cultural heritage features.

- Should excavations uncover discolour soils, or pieces of ceramic, bone or other materials of note, works will cease and the Amey Environment team contacted.
- Should the nature of the works change, the Amey Environment team will be contacted prior to works commencing.
- Historic Environment Scotland (HES) was notified of the works on 18th March 2026.

With best practice mitigation measures in place, no significant effects are anticipated on cultural heritage as a result of the scheme. Therefore, in accordance with DMRB Guidance document LA 106: Cultural Heritage Assessment no further assessment is required.

Landscape and visual effects

Impacts

- Visual receptors identified have the potential to be visually impacted by the scheme during construction due to the presence of TM, plant, vehicles, machinery and operatives. There will be no operational impacts on visual receptors including the national park as works entail the like-for-like embankment stabilisation and drainage improvement works along the A95 carriageway within the scheme extents.
- The general setting of the area (including national park) may be impacted during construction due to the presence of TM, plant, vehicles, machinery and operatives. No permanent impacts are anticipated to the Cairngorms National Park.
- The scheme entails like-for-like embankment stabilisation and drainage improvements and requires the removal of approximately eight trees along the embankment. The scheme will not extend beyond the current carriageway boundary. As such, no vegetation removal, trimming, or impacts to ancient woodland are anticipated. Temporary visual impacts on views of the ancient woodland edge are anticipated during the construction phase as a result of the TM and construction activities.
- The works will be contained within the carriageway boundary, and, as far as reasonably practicable, will avoid encroachment into the Ancient Woodland (ID: 36); therefore, no impacts on Ancient Woodland are anticipated.
- Plant, vehicles, machinery and operatives operating within the verge have the potential to visually impact the soft-state ground and vegetation present.

Mitigation

- Works will be contained within the A95 carriageway extents and will avoid encroaching into Ancient Woodlands.

- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing landscape and visual effects as much as possible.
- Plant, vehicles, and materials will be contained to hardstanding areas within the carriageway boundary (as far as reasonably practicable). If damage to the landscape occurs, reinstatement of soil, grass or grass seed will be carried out.
- Asset installation will be of a minimal visual impact (if any due to the like-for-like nature of the scheme) and will be in keeping with the current setting of the A95 carriageway within the scheme extents.
- Vegetation cutback (where required) will be kept to a minimum and will avoid opening any gaps in the tree/shrub line, thus avoiding the introduction of residential visual receptors.
- The National Park Authority (NPA) was notified of the works on 18th March 2026. A response has been received from the National Park Authority, confirming that the NPA have no comments on the proposed works.

With best practice mitigation measures in place, no significant effects are anticipated on landscape and visual effects as a result of the scheme. Therefore, in accordance with DMRB Guidance document LA 107: Landscape and Visual Effects no further assessment is required.

Biodiversity

Impacts

- Works have the potential to impact the (albeit, limited) aquatic ecosystem within the unnamed field drain through changes in water quality, noise and vibrational disturbance and via direct physical impacts from nearby bank improvement and culvert works. This includes (but is not limited to) impacts from improper disposal of materials into the channel, seepage of chemicals, silting, changes to flow rates and erosion.
- Construction activities have the potential to cause temporary adverse impacts on biodiversity and protected species due to vehicle presence, noise and artificial site lighting. This may disturb protected species within the scheme surroundings.
- The works will be contained within the carriageway boundary, and, as far as reasonably practicable, will avoid encroachment into the Ancient Woodland (ID: 36); therefore, no impacts on Ancient Woodland habitats are anticipated.
- There is potential for likely significant effects on the River Spey SAC.
- The area of grassland on the sloped verge embankment and adjacent to the field, including areas supporting rosebay willowherb, will be subject to localised habitat loss as a result of excavation and embankment stabilisation works.
- No bird nests were recorded during the survey. However, as works are set to occur during the main bird nesting season (March to August inclusive) there is

the potential to impact birds which could be nesting in the habitats within and adjacent to the site.

Mitigation

- Any vegetation and earth removed will not be disposed of into the field drain channel. All reasonable steps will be taken to ensure that the works do not result in increased erosion of the bed or banks of the field drain.
- No operatives, plant, vehicles or machinery will enter the watercourse at any point throughout the proposed scheme, with all works taking place from the field drain's banks and the carriageway boundary. All reasonable steps including debris netting and controlled excavations will be in place to limits debris entering the field drain beneath the carriageway.
- Any installations to the banks surrounding the channel of the field drain, including the installation of the new culvert will not enhance the rate of outfall into the watercourse present, and will not alter the hydromorphology and flow rate of the field drain itself.
- A Habitats Regulations Appraisal (HRA) was undertaken and has concluded that there will be no Likely Significant Effects (LSE) on the River Spey SAC due to the following:
    - The works will not lead to a reduction of habitat area as the scheme works will be restricted to the existing carriageway only and there will be no in-water works.
    - There is a potential for the works to cause disturbance to key species in the locale. To minimise disturbance best practice measures will be put in place. Additionally, as there will be an existing level of noise and lighting coming from the A95 traffic and as works are brief and unintrusive, it is not expected that the works will cause significant disturbance to wildlife.
    - The works will not be located within the designated site. The works will not cause any obstruction to any of the key species.
    - Best Practice Pollution Prevention measures will be implemented throughout the works.
- Disturbed areas will be reinstated following construction through re-seeding with an appropriate grass and other species mix, and, where practicable, replanting of native species to promote habitat regeneration.
- Works will be contained within the A95 carriageway extents and will avoid encroaching into Ancient Woodlands.
- Operatives will remain vigilant for the presence of protected species within or near the works. If a protected species is seen in or near the scheme, all works will be stopped until the animal passes by. The protected species will not be approached, and the area will be temporarily isolated until the animal has moved on. Any sightings will be reported to the Amey Environment Team.

- Impacts from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.
- No vehicles, machinery or materials will be parked/stored on any soft verges where possible.
- The Amey environmental briefing on protected species will be delivered to all site operatives before works start.
- Additional mitigation measures in Noise and Vibration and Road drainage and the water environment will be implemented.
- Due to the potential of foraging and commuting species in the area, the following standard construction safeguards will be followed:
    - There will be a slow start up of equipment if required to gradually increase levels of noise and vibrations onsite, as sudden noises can be more disturbing.
    - Where equipment can be used with hoods, doors or sleeves to reduce noise levels, these will be used wherever possible.
    - Open excavations will be fenced off and/or covered to avoid animals becoming trapped or injured. A mammal ladder (e.g. wooden plank) will be erected to allow any that may become trapped to escape. All excavations will be checked each morning to ensure no animals have become trapped overnight and an ecologist contacted for advice should any animals be encountered.
    - Consideration will be given to where spoil is stored, mammal proof fencing will be considered if spoil is to be stored on site for long periods of time.
    - Some species which are mainly active during dawn and dusk. Attempts will be made to avoid working in the vicinity during the hours of darkness and within 2 hours after sunrise and 2 hours before sunset (March to October), and 1 hour after sunrise and 1 hour before sunset (November to February).
    - No equipment will be stored within suitable habitat.
- Any clearance of suitable habitat or activities which are to occur within 5m of vegetation will require a suitably qualified/experienced ecologist to undertake a nesting bird check. Nesting bird checks will be undertaken within 48 hours prior to any vegetation clearance works taking place.

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

Geology and soils

Impacts

- There is potential for impacts to soil quality as works require embankment stabilisation and drainage improvements within the scheme extents along the A95 carriageway. This can create adverse conditions, including erosion and polluted soils.
- There is potential for spills, leaks or seepage of fuels and oils associated with machinery to escape if not controlled which may negatively affect the soil environment.
- The generation of concrete dust from excavation can raise the pH of soil resulting in erosion and soil infertility.

Mitigation

- All works and plant, machinery and vehicles will be contained within the carriageway boundary at all times to prevent damage to soils present on the verge areas.
- See additional pollution mitigation measures in the Road Drainage and Water Environment section below.
- Spill kits will be available on site and all operatives will be fully trained in their use. Fuels and chemicals required for the works will be stored securely in designated areas with secondary containment measures.
- Weather reports will be monitored prior to the works, with all construction activities temporarily halting in the event of predicted high rainfall or wind.
- After the works have been completed, excavations will be backfilled with soils/materials and reinstated to the original ground level. The area will be left level and free from debris.
- Dust suppression systems, such as dampening down or the use of collection vacuums, will be used when cutting concrete.
- Excavated soils will not be stored on site, and will be appropriately contained/covered and protected from the elements.
- Excavation of soils will be kept to a minimum and only where necessary, with any excavated soils being re-used on site as far as reasonably practicable.

With best practice mitigation measures in place, no significant effects are predicted on geology and soils. Therefore, in accordance with DMRB Guidance document LA 109: Geology and Soils, no further assessment is required.

Material assets and waste

Impacts

- Virgin aggregates used in the scheme will result in loss of natural resources, reduction of finite resources and loss of biodiversity.
- The nature of the scheme requires large HGVs resulting in local air quality degradation and greenhouse gas (GHG) emissions, combined with combustion fuel usage.
- Energy will be required for the scheme in the form of non-renewable fossil fuels for transport of materials and personnel, and for plant operation. The use of non-renewable fuels to power plant and machinery will be a contributing factor to GHG emissions.

Mitigation

- Environmental Authorisations (Scotland) Regulations (EASR) classes uncontaminated waste asphalt as a Low-Risk Waste Activity (LRWA) under 'LRWA 3 - Treating asphalt road planings in a milling machine'. This means that uncontaminated road planings arising from the works do not require authorisation and can be fully recycled in accordance with SEPA's 'Activities exempt from waste management licensing – Paragraph 13(a)'. Contaminated road planings, such as Asphalt Waste Containing Coal Tar (AWCCT) will be recycled under SEPA's Position Statement on Cold Recycling (Reference: WAS-PS-06). Environmental authorisation from SEPA is not required for the recycling of AWCCT if the conditions within the aforementioned document are adhered to. This includes, but is not limited to, ensuring that AWCCT is stored on an impermeable surface with a sealed drainage system, is not stored on site for more than 12 months, and treatment occurs at the place where the waste asphalt was produced.
- All waste will be transported by a suitable licenced contractor and will be accompanied by correctly completed waste transfer note. All special waste will be transport by a suitable licenced contractor and will be accompanied by correctly completed special waste consignment note (SWCN) providing information about the waste, the producer and the person the waste is being handed to; the SWCN will be kept for three years, the Site Responsible Manager is responsible for ensuring these are retained onsite.
- All waste will be transported by a suitable licenced contractor and will be accompanied by correctly completed waste transfer note.
- Where possible, materials will be obtained locally, and operatives deployed from the local depot where possible to reduce haulage and scheme associated journeys, reducing impact of associated Greenhouse Gases (GHG) emissions on climate change.

- The contractor will adhere to waste management legislation and ensure they comply with waste management Duty of Care.
- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Where possible all materials will be reused throughout the network, if not possible they will be recycled locally.
- Where practicable, materials arising from the works will be re-used on site to minimise waste generation and reduce the need for imported materials.

With best practice mitigation measures in place, no significant effects are predicted as a result of the material assets required and the wastes being produced. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and vibration

Impacts

- Works are programmed during daytime working hours and are unlikely to cause disturbance for residential properties within 300m of the scheme extents.
- Those living alongside diversion routes will be impacted by the scheme with increased traffic levels on local roads generating additional noise.
- The works will not change the existing baseline noise level during operation for any sensitive receptors.

Mitigation

- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- Effects from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.
- A ‘soft start’ to works will be in place, whereby plant/machinery/vehicles are started sequentially as opposed to simultaneously.
- Amey’s environmental briefing on noise and vibration will be delivered to operatives prior to the start of construction.

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

Population and human health

Impacts

- TM has potential to cause temporary disruption to bus services, including bus timetables (i.e. congestion and increased travel times) and potential temporary impacts to bus stop access or short-term closures during construction.
- TM for the works will involve diversion routes and the re-routing of traffic. Nearby residents may experience travel disruption due to presence of TM, which may lead to increased journey lengths and times. Those living by, and utilising diversion route roads may also experience travel disruption and disturbance as a result of the scheme.
- There will be no permanent or temporary impacts on land take from private land, community facilities or agricultural land as a result of the scheme as all works will be contained within the carriageway boundary.

Mitigation

- Local residents within 300m of the scheme extents and road users will be notified in advance of the works and all associated TM arrangements.
- TM will be advertised upon approach and in advance of the scheme. When in place, TM will be monitored to ensure it is effectively managing traffic flow.
- Any temporary bus stop closures associated with the works will be advertised in advance and managed in consultation with the local authority public transport team, with alternative arrangements provided where required.
- Site specific control measures regarding noise and vibration, landscape and visual effects and air quality can be found in the relevant sections (above).

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

Road drainage and the water environment

Impacts

- Potential for spills, routine runoff, leaks or seepage of fuels and oils associated with plant to escape and/or leach into the watercourse if not controlled, which may negatively affect the surrounding water environment and surface/ground water quality. There is potential for the unnamed field drain beneath the scheme extents to be polluted with alkaline concrete wash water from the proposed works entering the drainage system.

- Changes to the flow rate of the unnamed field drain and impacts from spillage/routine runoff have the potential to impact groundwater dependent terrestrial ecosystems.
- The proposed scheme has the potential to detrimentally impact the banks of the field drain if carried out incorrectly, with the potential for sediments to enter the watercourse and the potential for erosion increased as a result.
- If not appropriately controlled, debris and runoff from the works on the A95 carriageway surface has the potential to enter nearby drains and watercourses and could detrimentally impact water quality.
- In the event of a flooding incident, debris may be mobilised and could enter the road drainage having a detrimental effect on the surrounding local water environment.
- The Drinking Water Safeguard Zone identified will not be impacted by the scheme due to the nature of the works (e.g. minor, transient etc.) combined with the relevant pollution control measures.

Mitigation

- No operatives, plant, vehicles or machinery will enter the watercourse at any point throughout the proposed scheme, with all works taking place from the field drain's banks and the carriageway boundary. All reasonable steps including debris netting and controlled excavations will be in place to limits debris entering the field drain beneath the carriageway.
- Any vegetation and earth removed will not be disposed of into the field drain channel.
- All reasonable steps will be taken to ensure that the works do not result in increased erosion of the bed or banks of the field drain. This will be undertaken with controlled excavations and relevant buffer zones (where applicable) from working areas to the watercourse.
- Any installations to the banks surrounding the channel of the field drain, including the installation of the new culvert will be designed in such a way as to not enhance the rate of outfall into the watercourse present, and will not alter the hydromorphology of the field drain itself.
- Best practice, as detailed by SEPA's Guidance for Pollution Prevention (GPP5 and PPG6), will always be followed onsite. This will ensure that any potential debris/spills are not allowed to enter road drainage unchecked.
- Appropriate measures will be implemented onsite to prevent any potential pollution to the natural water environment (e.g. debris, dust and hazardous substances). This will include, but will not be limited to, spill kits being present onsite at all times, and the use of funnels and drip trays when transferring fuel, and utilisation of drain covers/shielding boards.
- Any pollution incidences will be reported to the Amey control room.

- Operatives will conduct regular checks of the work site, especially in periods of heavy wind and rainfall.
- All debris which has the potential to be suspended in surface water and wash into the local water environment will be cleaned from the site following the works.
- Bunds will be provided around drums up to 205 litres with a buffer of 25% of their capacity, and around bulk storage to a capacity of 110% of the stored fuel/oil.
- All plant and fuel storage at the site compound will be located on hardstanding and sited more than 10m from any watercourse.
- All plant and fuel storage areas will be located away from areas that see high vehicular movement to prevent accidental damage.
- All oils and fuels will be returned to the storage area after use.
- No refuelling will take place within 10m of any watercourse, including field drains and road drainage.
- If the mixing of concrete on site is required, site operatives will apply suitable controls to prevent the mixture escaping to the surrounding environment:
    - All mixing will take place a minimum of 10m away from watercourses and drains where possible.
    - All drains within proximity to any mixing will be securely covered or sealed off.
- Weather reports will be monitored prior to and during all construction activities. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and when run-off/drainage can be adequately controlled to prevent pollution.
- Amey's environmental briefing on Water Pollution Prevention will be delivered to all site operatives before works start.

Providing all works operate in accordance with current best practice, as demonstrated by SEPA's Guidance for Pollution Prevention (GPPs), no significant effects are predicted on the water environment. Therefore, in accordance with DMRB Guidance document LA 113: Road Drainage and the Water Environment no further assessment is required.

Climate

Impacts

- Greenhouse Gas (GHG) emissions will be emitted through the use of machinery, vehicles and materials used (containing recycled and virgin materials) and transporting to and from site.

Mitigation

- Local suppliers will be used as far as reasonably practicable to reduce travel time and GHG emitted as part of the works.
- Vehicles/plant will not be left on when not in use to minimise and prevent unnecessary emissions.
- Further actions and considerations for this scheme are detailed in the above Material assets and waste section.

With best practice mitigation measures in place, the residual significance of effect on climate is considered to be not significant. Therefore, in accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

Vulnerability of the project to risks

As the works will be limited to the like-for-like embankment stabilisation and drainage works along the carriageway, there will be no change in vulnerability of the carriageway to risk, or in severity of major accidents/disasters that would impact on the environment.

It has been determined that the scheme will not alter the vulnerability of the project to risk of major accidents or disasters.

Assessment cumulative effects

The Scottish Road Works Commissioner's Interactive Map does not highlight any other works in the area at the time of construction.

Highland Council's Planning Portal does not highlight any proposed developments or planning applications on the A95 carriageway within 2km of the scheme.

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

No other nearby schemes which may result in a combined effect on nearby receptors have been identified.

Any future schemes will be programmed to take into account already programmed works, and as such any effect (such as from TM arrangements and potential construction noise) will be limited.

Assessments of the environmental effects

Following assessment as detailed within this Record of Determination, and provided that mitigation measures are in place and best practice is followed, there will be no significant effects on the environment.

The following environmental surveys/reviews have been undertaken:

- An Environmental Scoping Assessment of the scheme, undertaken by the Amey Environment Team in March 2026.
- Consultation with Historic Environment Scotland in March 2026.
- Consultation with National Authority Park in March 2026.
- A Habitats Regulations Appraisal was undertaken by the Amey Environment Team in March 2026.
- A Preliminary Ecological Walkover (PEW) and PEW report was undertaken by the Amey Environment Team in March 2026.

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 the Cairngorms National Park, which is a sensitive area.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, reference to consultations undertaken and review of available information has not identified the need for a statutory EIA.

The project will not have significant effects on the environment by virtue of factors such as:

Characteristics of the scheme:

- Construction activities are restricted to the existing carriageway boundary within made ground and as such there will be no residual change to the local landscape as a result of the works.
- No in-combination effects have been identified.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- As the works will be limited to the like-for-like embankment stabilisation and replacement of the drainage system, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment. No impacts on the environment are expected during the operational phase as a result of works.
- By improving embankment stabilisation and the drainage system, this will provide this part of the A95 carriageway with another life cycle and significantly improve the stability of the embankment and drainage, which will result in safer conditions and reduce the risk of landslips.

Location of the scheme:

- The scheme has the potential for hydrological connectivity to the River Spey SAC. An HRA has been undertaken concluding no likely significant effects on the qualifying features.
- Works are not anticipated to impact areas designated for their landscape character or quality and will not impact culturally significant designations present near the site due to its containment within the carriageway.
- The scheme will be confined within the existing carriageway boundary and as a result will not require any land take or alter any local land uses or habitats.
- Any impacts to the local landscape including the Cairngorms National Park during the construction phase will be minor, temporary and not considered significant. In addition, no operational adverse impacts are anticipated.

Characteristics of potential impacts of the scheme:

- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Any potential impacts of the works are expected to be temporary, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- No in-combination effects have been identified.

References of supporting documentation

- Environmental Scoping Assessment, March 2026.
- Stage 1 Habitats Regulations Appraisal, March 2026.
- Preliminary Ecological Walkover Report, March 2026.

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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