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Environmental Impact Assessment Record of Determination

A95 Tormore Distillery

GENERAL

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GENERAL

Project Details

Description

Resurfacing works are required to maintain the safety and integrity of a section of the A95 adjacent to the town of Tormore, Highlands. A visual condition survey identified that the pavement either side of the carriageway is in poor condition and requires improvement to ensure no further deterioration.

Construction will involve the installation of inlays at varying depths ranging between 30mm – 300mm, covering an area of approximately 10,928m^2. The required depths will be determined by the identified defects, with at minimum a 35mm surface course of treatment using binders, and deeper remedial treatments applied where core samples indicate the need. The existing surface will be planed to the required depths and then resurfaced using a paver to restore the material to its original thickness. A hot-applied bitumen sealant will be applied to the joints between the new and existing surfaces at both ends of the scheme.

Construction activities include:

- Installation of Traffic Management (TM);
- Milling of carriageway to agreed depths;
- Resurfacing of the carriageway to existing road levels using TS2010 surface course, AC20 binder and AC32 base;
- Reinstatement of road markings, linings and studs; and
- Removal of TM.

The plant and machinery required will include:

- Planer;
- Wagon(s);
- Bitumen tank;
- Extrusion liner;
- Paint tanker; and
- Paver.

The construction is programmed to be undertaken and completed within the 2026-2027 financial year, proposed for November 2026 over a two-week period.

Works will be undertaken during night-time hours.TM plans are not confirmed at the time of writing, however they are expected to be overnight closures for the duration of works.

Location

The works are located on a 1.45km stretch (over 10,000m^2 in area) of the A95 adjacent to the town of Tormore, Highlands and Moray County. The scheme can be found at the following National Grid Reference (NGRs) Points:

- **Start:** NJ 15386 35061
- **End:** NJ 16513 35848

Please also refer to Figure 1: Scheme Location Plan below, which illustrates the scheme extents.



Figure 1. Scheme Location Plan - Contains public sector information licensed under the Open Government Licence v3.0. Contains OS data © Crown copyright and database right [2026]. Contains Royal Mail data © Royal Mail copyright and database right [2026]. Contains National Statistics data © Crown copyright and database right [2026].

Description of local environment

Air quality

The scheme is located along the A95 carriageway and is immediately bordered by grass, shrubs, hedgerows, and trees, with some residential receptors. The scheme is situated in a rural area with agricultural fields and pockets of woodland surrounding the carriageway in all directions. The small village of Tormore is located to the south of the scheme.

There are approximately nine residential properties within 200m, the closest residential property is a farmhouse approx. 25m north of the carriageway at NJ 16225 35610. Tormore Distillery is immediately adjacent to the scheme start. There are no further air quality receptors located within 200m of the works.

Baseline air quality in the area is primarily influenced by traffic using the A95, with additional contributions from agricultural activities. The closest manual count point along the A95, located 2km east of the scheme is 30867. This shows that in 2025 the Annual Average Daily Flow (AADF) of traffic for all motor vehicles was 2,588 with 385 of these being Heavy Goods Vehicles (HGVs).

Neither Highland Council nor Moray Council have designated any Air Quality Management Areas (AQMAs). This indicates that local pollutant levels such as Nitrogen Dioxide (NO_2) and Particulate Matter (PM_{10}, $PM_{2.5}$) are currently within the acceptable limits. This is supported by the Department for Environment, Food and Rural Affairs (DEFRA) UK Ambient Air Quality Map which presents predicted background air pollutant concentrations across the UK. According to the 2024 dataset, background annual mean NO_2, PM_{10} and $PM_{2.5}$ concentrations within the works area are 1.72 µg/m³, 7.53 µg/m³, and 4.01 µg/m³ respectively. These values are well within national AQMA qualifying thresholds of NO_2 and PM (40 µg/m³ each), indicating that pollutant levels within and immediately surrounding the scheme are currently within acceptable limits.

There are no sites registered on the Scottish Pollutant Release Inventory (SPRI) and no air quality monitoring stations are located within 1km of the scheme.

Cultural heritage

A desk-based assessment was undertaken using PastMap. A study area of 300m was used for designated cultural heritage assets of which there are multiple assets under one designation:

- '1-12a Richardson Road, Gate Piers, Community Centre, Generator House, Distillery and Offices, Duty Free Warehouse, Manager's House, Tormore Distillery' immediately adjacent to the scheme start, which is Category B Listed building ID: LB337, 25m south of the scheme.

The following non-designated cultural heritage assets are located within 200m:

- Allied Distiller's Manager's House, Tormore Distillery Historic Environment Record (HER) ID: MHG43874 is located immediately adjacent to the scheme start.
- Carn A'Mhaoisleich HER ID: MHG6802 is located immediately adjacent to the carriageway.
- Tormore Distillery HER ID: MHG35782 is located 80m southeast of the scheme.
- 1-2 Richardson Road, Tormore Distillery HER ID: MHG47111 and National Record of the Historic Environment (NRHE) ID: 255776 is located 120m southwest of the scheme start.
- Recreation Hall, Richardson Road HER: MHG47112 and NRHE ID: 255777 is located 150m southwest of the scheme start.
- 3 and 4 Richardson Road HER IDs: MHG47113 and MHG47114 are located 170m southwest of the scheme start.
- 5 and 6 Richardson Road HER IDs: MHG47115 and MHG47116 are located 185m southwest of the scheme start.

Landscape and visual effects

The scheme is located along the A95 carriageway and is immediately bordered by grass, shrubs, hedgerows, and trees, with some residential receptors. The scheme is situated in a rural area with agricultural fields and pockets of woodland surrounding the carriageway in all directions. However, the small village of Tormore is located to the south of the scheme.

Due to minimal vegetation screening at Tormore Distillery, multiple properties adjacent to the A95 carriageway within the scheme extents will have a view of the works, such as those on Richardson Road.

There are no footways, Core Paths, Bridleways or National Cycle Network routes within 300m of the scheme location that will have sight of the works area.

According to Scotland's Environment Web Map, there are no National Scenic Areas (NSAs) or Gardens and Designed Landscapes located within 500m of the scheme extents. Furthermore, there are no Tree Preservation Orders (TPOs) within this buffer.

However, there are two Ancient Woodlands (ID: 8085 - Ancient (of semi-natural origin) and ID: 8070 – Long-established (of plantation origin)) located immediately adjacent to the A95 carriageway within the scheme extents.

Scotland's Historic Land Use Assessment Map has highlighted that the land within the scheme has historically been used as 'Broad Farmed Valley' (ID:94).

The Scottish Landscape Character Type (LCT) Assessment Map shows the landscape within the scheme extents is Broad Farmed Valley (LCT 287). The LCT contains the lower reaches of the River Spey, as it runs northeast from the Cairngorms National Park boundary to dissect the uplands and moorlands of southern Moray. The valley opens out to the north, to merge with Coastal Farmlands – Moray and Nairn at Inchberry.

Biodiversity

The River Spey Special Area of Conservation (SAC) (site ID: 170091) is located 1.3km north of the scheme extents.

Given this hydrological connectivity, a Stage 1 Habitats Regulations Appraisal (HRA) was required prior to construction to assess the potential for Likely Significant Effects (LSE).

The assessment has concluded:

- The proposed works are unlikely to disturb the qualifying species which are isolated to the River Spey. Some bird species may use the surrounding farmland for foraging. However, the farmland habitat covers an extensive area and provides many foraging opportunities elsewhere.
- Potential negative changes in noise and vibration levels, water quality or air quality would be temporary and alleviated by standard best practice as part of the works. With these measures in place, the likelihood of mobilised surface water pollution or air pollution impacting on the water quality of the surrounding watercourses is low.
- There is no requirement for land take within the European Site as a result of the scheme, as all works will be confined to the existing carriageway boundary. No likely significant effects have been identified.

NatureScot's Sitelink resource does not highlight any other European designated Sites designated for nature conservation within 200m. Sitelink has also not identified the presence of any Local Nature Reserves within 200m of the scheme extents.

The NBN Atlas has records of multiple Invasive Non-Native Species (INNS) and Transport Scotland Target Species within 500m of the scheme:

- Rosebay willowherb (*Chamerion angustifolium),*
- Rhododendron *(Rhododendron ponticum),*
- Common ragwort *(Jacobaea vulgaris*)

There are no records of the aforementioned INNS or target species directly bordering the carriageway on the NBN Atlas.

Additionally, a review of Transport Scotland's Asset Management Performance System (AMPS) online mapping tool has identified one instance of rosebay willowherb along the verges of the A95 within the scheme extents.

The scheme area and surrounding habitats were assessed by a senior ecologist using available desktop resources, and it was determined that an ecological walkover of the site would not be required. This decision was based on the small scale of the works and their like-for-like nature.

Geology and soils

NatureScot's SiteLink confirms that there are no geological SSSIs or Local Geodiversity Sites (LGS) within 200m of scheme extents.

There are no landfill sites within 200m of the scheme extents according to the Scottish Environment Protection Agency's (SEPAs) Landfill sites and Capability Map. Additionally, the works are not located within Coal Mining Reporting Area as defined by the Coal Authority and Mining Remediation Authority, indicating no history of mining activity in the wider area.

The British Geology Viewer notes the soil geology within the scheme extents consists of the following:

Superficial deposits:

- Glaciofluvial deposits-Gravel, sand and silt. These sedimentary deposits are glaciofluvial in origin and were formed during the Quaternary period.
- Till, Devensian - Diamicton. Sedimentary superficial deposit formed between 116 and 11.8 thousand years ago during the Quaternary period.

Bedrock geology:

- Rynaballoch Psammite Member-Psammite and semipelite. These rocks were sedimentary in origin but have subsequently undergone metamorphism.

Scotland's Soil Map indicates that the soil within the scheme consists of 'Arkaig Humus-iron podzols ID: 20'. Furthermore, the national scale land capability for agriculture can be classed as '3.2 land capable of average production though high yields of barley, oats and grass can be obtained. Grass leys are common', and '4.1 land capable of producing a narrow range of crops, primarily grassland with short arable breaks of forage crops and cereal'.

All works are contained to the engineered layers of the existing pavement with no excavation being undertaken. As such, Geology and Soils has been scoped out of requiring further assessment in line with DMRB Guidance document LA 109: Geology and Soils.

Material assets and waste

The following materials will be required for construction:

- Road markings and studs;
- TS2010 surface course;
- AC20 Bituminous binder;
- AC32 Bituminous base;
- Vehicle fuel;

Resurfacing will be undertaken in accordance with Transport Scotland's TS2010 specification, using AC binder and base layers, with warm mix asphalt (WMA) proposed.

Materials will contain a percentage of recycled material. For example, 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 The rest of the materials will come from primary sources.

The waste produced by the scheme will consist of road planings (inert bituminous materials). Following on-site coring investigations and testing, a small amount of coal-tar was identified within the surfacing of the carriageway within the scheme extent.

This scheme is not in excess of £350K and therefore does not require a Site Waste Management Plan (SWMP).

Noise and vibration

For baseline data on the scheme's immediate surroundings and wider context, please refer to 'Air Quality'.

There are approximately 18 residential properties within 300m of the scheme extents, the closest being located 40m south at NJ 15406 35024. There are no non-residential noise and vibration sensitive receptors within 300m of the scheme.

Baseline noise and vibration is primarily influenced by traffic using the A95, with additional contributions from agricultural activities. The closest manual count point along the A95, located 2km east of the scheme is 30867. This shows that in 2025 the AADF of traffic for all motor vehicles was 2,588 with 385 of these being HGVs.

The Transportation Noise Action Plan (TNAP) 2019 - 2023, the TNAP 2024 - 2028, and the Agglomerations Noise Action Plan for Scotland confirms that the scheme does not lie within a Candidate Noise Management Area (CNMA) or one of Scotland's five agglomerations (Aberdeen, Dundee, Edinburgh, Falkirk, and Glasgow).

According to Scotland Noise Map, existing noise levels within the scheme extents range from approximately 79dB to 64dB (Lday) during daytime hours and from 59dB to 53dB (Lnight) at night. At the nearest identified receptor, a property located on the Tormore Distillery site adjacent to the carriageway, baseline noise levels are recorded at approximately 63dB during the day and 54dB during the night. These values provide a representative indication of current acoustic environment in the area.

Population and human health

A study area of 300m was applied, reflecting the like-for-like nature of the works and their containment to the A95 carriageway boundary.

For baseline data on the scheme's immediate surroundings and wider context, please refer to 'Air Quality'.

There are approximately 18 residential properties within 300m of the scheme extents, the closest being located 40m south at NJ 15406 35024. Tormore Distillery is immediately adjacent to the scheme. There are no other community assets, facilities, and businesses of note within 300m of the scheme other than farm buildings/land.

There are no footways, Core Paths, Bridleways or National Cycle Network routes within 300m of the scheme location.

The A95 has a bus stop opposite the Tormore Distillery at the scheme start.

The A95 carriageway within the scheme extents is not street-lit and contains one layby.

There are two points of direct access to two residential properties within the scheme extents. There are three access points to agricultural fields within the scheme at NJ 16490 35835, NJ 16384 35693 and NJ 16190 35551.

Road drainage and the water environment

According to the Scottish Environment Protection Agency's (SEPA's) Water Classification Hub, there are no designated watercourses within 500m of the scheme. However, there are multiple unnamed and undesignated minor watercourses located in proximity to the carriageway. Allt An Torra Mhoir runs under the carriageway 35m west of the scheme start. Allt-na-Criche also runs under the carriageway within the scheme at NJ 16294 35618. There are no further undesignated or unnamed watercourses within 500m of the works.

According to SEPA's Flood Maps, there is a 'Medium' to 'High' likelihood of surface water flooding along the A95 suggesting that this area has a 0.5% - 10% chance of flooding annually.

Surface water runoff along the A95, within the scheme extents, is managed via filter stones located within the verge of the carriageway. Groundwater within the scheme consists of Aberlour Groundwater (ID: 150666), which has an overall 'Poor Ecological Health' according to the Water Framework Directive (WFD).

According to the National Flood Risk Assessment (2025), the current cycle of flood risk management planning (2022 – 2028), and the future cycle (2028 - 2034), the scheme is also not located within a Potentially Vulnerable Area (PVA) for flood risk management within Scotland.

The works do not fall within a Nitrate Vulnerable Zone (NVZ), however, the works do fall within Aberlour surface Drinking Water Protected Area (DWPA). This highlights how according to the Water Environment (Drinking Water Protected Areas) (Scotland) Order 2005, there are no nearby surface water bodies that are designated for drinking water abstraction. The surface water within the scheme extents is also not intended to be used for drinking water. Consequently, there is no direct pathway for surface water pollution in the surrounding area to impact drinking waters.

Importantly however, drinking water may still be abstracted from the ground under the scheme for which appropriate control measures will still be followed.

Climate

Carbon Goals

The Climate Change (Scotland) Act 2009, as amended by the 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 proposed 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 North East Network Management Contract (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.

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

TM and HGV usage implemented during the scheme may result in an increase in vehicle emissions through idling vehicles and increased congestion along the A95 (and along proposed diversion routes). This may result in a temporary deterioration in local air quality.

On site construction activities such as planing of the surface and mobile machinery movement have the potential to produce an increase in dust, emissions, and airborne particulate matter. This is likely to cause a slight and temporary deterioration in air quality within the local area.

Emissions of dust or vehicle exhaust will be temporary and localised. Given the limited scope and timescale of the works, no significant change in ambient air quality is 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 (cover or fence stockpiles to prevent wind whipping);
- Drop heights will be minimised from conveyors and other loading or handling equipment;
- Vehicles entering and leaving the work area will be covered to prevent escape of materials during transport;

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- Equipment will be readily available on site to clean any dry spillages, and clean up spillages 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.

In addition, plant, vehicles and 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 also be adopted, and effective route preparation and planning will be undertaken prior to works. Finally, where possible, materials will be sourced locally, and surfaces will be swept where loose material remains following planing.

No significant effects are anticipated upon completion of the works, and no further assessment is required in accordance with DMRB Guidance document LA 105: Air Quality.

Cultural heritage

Impacts

Construction of the A95 carriageway is likely to have removed any archaeological remains that may have been present within the trunk road boundary. Therefore, the presence of unknown archaeological remains in the study area has been assessed as low.

The listed building (and nearby HERs/NHREs) located 25m from the carriageway is separated from the carriageway by amenity grounds within Tormore Distillery and a fenceline. Consequently, construction is unlikely to directly impact the listed building however, there is the potential for noise and vibration impacts as a result of the scheme.

Works involve a direct replacement of existing road surface that is contained within the carriageway boundary with no verge works and no excavation being undertaken in proximity to any cultural heritage assets, ensuring no impact to the listed building, HERs or NHREs mentioned above.

Works will temporarily impact the heritage setting of the area due to the presence of TM, plant, and machinery; however, this will only be for the duration of the works.

Mitigation

During construction, plant, vehicles, personnel, materials etc. will be contained to the hardstanding areas of the A95 carriageway as far as possible. Furthermore, the site will be kept clean and tidy throughout all stages of the works, with appropriate storage of materials, equipment, plant and waste.

Plant, vehicles, and machinery will be stored out with the general area of the listed buildings, HERs and NHREs to assist in avoiding the impacting of the setting of these assets. Noise and vibration mitigation (see relevant sections below) will also be adhered to in order to limit the noise/vibration impacts on these assets during construction.

Photographs of the assets will be taken prior to works commencing to evidence their visual condition should any vibration impacts arise as a result of the scheme.

If archaeological remains (ceramics, coins, bones, etc) or areas of discoloured soil are encountered during construction, the Amey Environment team will be contacted, and works will cease until advice can be provided. Additionally, if the nature of the works changes, including specific works in the verge change, the Amey Environment Team will be contacted prior to works commencing.

Provided control measures are adhered to, there are no cultural heritage assets within the surrounding area that are likely to be impacted. Therefore, in accordance with DMRB Guidance document LA 106: Cultural Heritage Assessment, no further assessment is required.

Landscape and visual effects

Impacts

Due to the like-for-like nature of the works, there will be no permanent change to the existing landscape character. However, the presence of traffic management measures and construction activities will result in a temporary visual impact on the surrounding landscape for the duration of the works. Areas of ancient woodland will not be affected, as all activities will be confined within the carriageway boundary. Any site lighting, plant, machinery, or vehicles required during night-time operations may also give rise to temporary landscape and visual impacts. Tormore Distillery and its associated buildings may have views of the works while construction activities are taking place.

As the works are relatively minor, short in duration, and undertaken on a like-for-like basis, no permanent alterations to landscape features and views are anticipated.

Mitigation

The scheme has been designed to retain the existing landscape character as far as possible, ensuring that the overall appearance of the area remains unchanged.

If works take place during nighttime, temporary site lighting used throughout the scheme will be directional and pointed only at the area of works.

Plant, vehicles, and materials will be contained to hardstanding areas within the carriageway boundary (as far as reasonably practicable). Should damage to the landscape occur, reinstatement will be carried out.

With mitigation measures and best practice in place, it is anticipated that any landscape and visual effects identified with the works are unlikely to be significant. Furthermore, as the majority of works within view of sensitive receptors are like for like, no permanent impact is expected. Therefore, in accordance with DMRB Guidance document LA 107: Landscape and Visual Effects, no further assessment is required.

Biodiversity

Impacts

As the scheme location falls within 2km of and is hydrologically connected to the River Spey Special Area of Conservation (SAC), an HRA Stage 1 was undertaken. The HRA concluded that the scheme does not carry the potential to cause Likely Significant Effects to the SAC. This is due to the distance of the works from the designated sites and their relatively minor nature (like-for-like, no excavation, and contained to carriageway boundary with minimal verge works). Furthermore, the HRA states that any impacts on water, air, and noise will not occur as a result of standard control measures such as those found below.

- If there is any disturbance to the verge, works have the potential to cause the spread of INNS and Transport Scotland target species including common ragwort and rosebay willowherb.
- There is potential for protected species to be active within the surrounding area and for the works to result in disturbance to these species. During night-time programming, additional noise from construction activities and misdirected site lighting could cause temporary disturbance to any surrounding nocturnal species.

- Reduced traffic noise can lessen acoustic disturbance for wildlife. Resurfacing will reduce road noise from traffic and vehicles on the A95.

Mitigation

If works occur during nighttime, any artificial lighting required will be hooded and directed specifically at the work area to minimise light spill and disturbance to nocturnal species. In the event that any protected species are encountered during the works, all activity will cease immediately, and a member of Amey's Environment Team will be contacted for further guidance. Furthermore, 'soft start' techniques will be utilised with noise heavy equipment/plant/machinery in order to avoid disturbance to any potential noise sensitive species present in the area.

Vehicles and materials will not be stored or parked on grass verges where possible. Where damage occurs, the reinstatement of the grass verge will be carried out.

Amey's environmental briefings will be given to all site operatives before construction works will commence.

As part of the NE NMC, Amey, on behalf of Transport Scotland, has been asked to keep a record of various target species including rosebay willowherb and common ragwort. Works will not cause the spread of these species, if works are likely to result in the spread of these species through disturbance, Amey's Landscaping Team will be consulted. Additionally, removal of any vegetation/habitats will not occur without prior notification to Amey's Environment team where appropriate method statements will be drafted.

On the condition that the above mitigation measures and best practice are adhered to, no significant effects on biodiversity are predicted. Therefore, in accordance with DMRB Guidance document LA 108: Biodiversity, no further assessment is required.

Material assets and waste

Impacts

Transportation and recovery of materials or waste will require energy deriving from fossil fuel, a non-renewable source. Fossil fuels are finite resources, and their extensive use for energy-intensive processes like transportation accelerates their depletion.

Warm-mix asphalt (WMA) provides energy and emissions benefits and is thus used as standard. When warm-mix asphalt (WMA) is used, it reduces fuel and energy

consumption and reduces GHG production during mixing and installing phases. WMA also increases the laying window and compaction of the material.

The design life for the TS2010 surfacing proposed is estimated to be 20 years. This will reduce the requirement for maintenance to this section of road over the period, which will reduce the need for further materials and wastes. The use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources thus reducing Greenhouse Gas (GHG) emissions. Furthermore, the use of TS2010 Surface Course will prolong the period before future resurfacing is required, compared to other types of road surface. Future repairs can be able to be carried out easily via inlay

The works will result in contribution to resource depletion through use of virgin materials. Without recycling, the demand for virgin materials increases, putting pressure on natural reserves.

Mitigation

As this scheme has an estimated bid less than £350,000, a Site Waste Management Plan (SWMP) is not required. However, if the scheme value unexpectantly exceeds £350,000, a SWMP will be developed. This will detail how resource use and waste arising from the works will be managed throughout the scheme. This will help control and reduce the amount of waste produced, resulting in less landfilled waste.

The Contractor will comply with all 'Duty of Care' requirements, ensuring that any surplus materials or wastes are stored, transported, treated, used, and disposed of safely without endangering human health or harming the environment. All waste transfer notes and/or waste exemption certificates will also be completed and retained.

Environmental Authorisations (Scotland) Regulations (EASR) classes waste asphalt (uncontaminated) 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 will be fully recycled in accordance with SEPA's guidance on asphalt road planings.

Where practical, all materials will comply with Transport Scotland's amendment to the Specification for Highway Works, Clause 908TS Warm Mix Asphalt, which sets out performance requirements for WMA mixtures. WMA requires less heat, reducing energy use, making it more environmentally friendly in comparison to hot mix asphalt.

All special waste will be transported by a suitable licenced contractor and will be accompanied by a correctly completed special waste consignment note (SWCN) providing information about the waste source, hazardous properties and disposal/treatment facility. The SWCN will be retained for three years with the Site Responsible Manager is responsible for ensuring these are retained on site. Special waste will be segregated from general waste and other recyclables.

Furthermore, the recycling of Asphalt Waste Containing Coal Tar (AWCCT) will be undertaken in line with SEPA's position statement on AWCCT (document ref WAS-PS-06). This includes ex-situ recycling which will always be considered as an option, particularly when there is AWCCT present.

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

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. Furthermore, 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. Once works are complete, all materials will be reused throughout the network, if not possible they will be recycled locally.

It has been determined that the project will not have direct or indirect significant effects on the consumption of material assets or creation of waste. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and vibration

Impacts

Construction activities associated with the works have the potential to generate noise and vibration at nearby sensitive receptors, including residential properties located with proximity to the A95. This may occur through the use of pavers, planers, roller wagons and other plant during nighttime working hours.

TS2010 road surfacing is shown to have superior durability and noise reducing features compared to standard road surfacing mixes. Noise baseline is likely to increase on diversion routes as a result of more traffic from road closures within the scheme extents .

Works may increase vibration levels as well as noise levels, particularly for receptors along the A95. However, this will be for the duration of the works only.

There are no anticipated impacts on noise and vibration following the completion of works.

Mitigation

Mitigation measures follow Best Practicable Means as outlined in British Standard (BS) 5228:2009+A1:2014. The standard provides specific detail on suitable measures for noise control in respect to construction operations; for example:

- Quiet working methods will be employed, including use of the most suitable plant, reasonable hours of working for noisy operations, and economy and speed of operations.
- 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.
- Operations will be sequenced to minimise simultaneous use of high-noise equipment, and a ‘soft start’ to works will be in place, whereby plant, machinery and vehicles are started sequentially as opposed to simultaneously. Additionally, no plant, vehicles or machinery will be left idling when not in use
- Plant and machinery will be regularly maintained to prevent excessive noise from worn parts or inefficient operation.
- On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors. Where night-works are to be undertaken, the noisiest works will be undertaken before 23:00 where possible.
- Moray Council and Highland Council need to be consulted prior to works. This has been carried out by the Amey Environment Team on 11/08/2026.

Amey’s environmental briefing on Noise and Vibration will also be delivered to all site operatives before works start.

With best practice mitigation measures in place, no significant effects are predicted on Noise and Vibration as the works will be transient. Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration no further assessment is required.

GENERAL

Population and human health

Impacts

If works occur at nighttime, construction site lighting during nighttime hours could cause disturbance for residential properties in close proximity to the scheme.

Land take is not required for this scheme therefore there will be no impact as a result of permanent or temporary land acquisition from private land, businesses, agriculture, Walkers, Cyclists or Horse riders (WCH) and/or community facilities as a result of the scheme.

The access roads located adjacent to the carriageway will be temporarily and minorly impacted due to the works or the presence of TM. Furthermore, TM has potential to cause temporary levels of disruption to road users (including those living along diversion routes) (i.e. congestion and increased travel times). Traffic Management (TM) will likely entail overnight closures during the works (with amnesties for vehicles such as Heavy Goods Vehicles (HGVs) and local access, therefore the bus service will not be impacted by works.

Vehicle travellers and nearby receptors will benefit from the improved road surfacing due to reduced road noise as a result of the scheme.

Mitigation

A letter drop will be undertaken for properties within 300m of the scheme, to notify all residential properties of the works. TM restrictions/arrangements and any expected travel delays will also be publicised within the local and wider area via radio and letterbox drop, in an effort to minimise disturbance to vehicular travellers and agricultural businesses in the local area.

Should temporary site lighting be used, it will be directional and pointed only at the area of works.

Appropriate signage will be in place to inform road users and nearby residents with access via the A95 of alternative access routes.

With best practice mitigation measures in place, no significant effects associated with 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

As the works are within proximity to multiple watercourses, construction activities may pose short-term pollution risks to the water environment through accidental spills of fuels, oils, chemicals, or road planings which could enter surface runoff, drainage systems and nearby surface watercourses. However, as the works involve resurfacing only, and no in-water works, no abstraction or transfers of water from, or discharges to a waterbody, the potential for a pollution incident within a waterbody is unlikely.

Additionally, if not adequately controlled, debris and run off from the works could be suspended in the surface water. In the event of a flooding incident, this debris may be mobilised and could enter the road drainage having a negative effect on the surrounding local water environment. Should flooding occur within the scheme extents, this may delay the scheduled works.

Although the works are located within the Aberlour Drinking Water Protection Zone, with appropriate mitigation measures in place there will be no impact to surrounding watercourses.

Mitigation

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. Furthermore, debris and dust generated as a result of the works will be prevented from entering the drainage system. This can be via the use of drain covers or similar.

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 spill kits being present onsite at all times, and the use of funnels and drip trays when transferring fuel etc. The Amey control room will be contacted if any pollution incidences occur (available 24 hours, 7 days a week).

Weather reports will be monitored prior and during all construction activities and visual pollution inspections of the working area will be conducted in frequency, especially during heavy rainfall and wind. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and run-off/drainage can be adequately controlled to prevent pollution.

All operatives will follow of SEPA's Guidance for Pollution Prevention (GPP) documents and the delivery of Amey's Water Pollution Prevention environmental briefing will be given to all site operatives prior to the works.

Providing all works operate in accordance with current best practice, as demonstrated by SEPA's GPPs, the residual effect on the local water environment during construction is considered to be not significant. In accordance with DMRB Guidance document LA 113: Road Drainage and the Water Environment, no further assessment is required.

Climate

Impacts

Due to the small scale and short duration of the works, the scheme impacts are not expected to have significant effect on climate in the context of national carbon budgets.

However, construction of the scheme will result in the emission of GHGs. The use of fuel for plant and machinery during construction will require the exploitation of fossil fuels, while some materials required for the scheme will be from primary sources and require transportation to site. The nature of the scheme requires HGVs resulting in local air quality degradation and 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.

The use of WMA will lead to a decrease in energy consumption and Carbon dioxide due to the heating requirements, compared to HMA.

Mitigation

Local suppliers will be used as far as reasonably practicable to reduce travel time and GHG emitted as part of the works, and vehicles/plant will not be left on when not in use to minimise and prevent unnecessary emissions.

The full extent of carbon emissions relating to these works is unknown until construction is complete. However, as the scheme is of a relatively minor nature with

minor associated emissions, it has been determined that the scheme will not significantly influence Scotland's ability to meet its carbon budgets.

Consequently, 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 replacement of the carriageway structure, there will be no change in vulnerability of the road to risk, or in severity of major accidents/disasters that would impact on the environment.

It has been determined that the project is not expected to alter the vulnerability of the existing trunk road infrastructure to risk of major accidents or disasters.

Assessment of cumulative effects

A review of the Scottish Road Works Commissioner's Interactive Map and Amey's current programme of works confirms that no other roadworks are scheduled to take place at the proposed location or during the planned timeframe for the resurfacing works.

Additionally, a search on Highland Council Planning Portal and Moray Council Planning Portal has not identified any approved or pending planning applications that would conflict with the works.

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/consultations have been undertaken:

- Environmental Scoping Assessment (ESA) undertaken by Amey's Environmental Team in July 2026.
- Habitats Regulation Appraisal (HRA) Stage 1 undertaken by Amey's Environmental Team in July 2026. The HRA states that the scheme does not carry the potential to cause Likely Significant Effects (LSE) to the European or National Site.
- Moray Council and Highland Council were consulted on 11/08/2026.

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) exceed one hectare in area.

The scheme is not situated in 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:

<u>Characteristics of the scheme:</u>

- As the works will be limited to the like-for-like replacement of the structural components, 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.
- The successful completion of the scheme will afford benefits to carriageway users and residential properties in proximity, due to improved condition and ride quality of the carriageway surface.

- 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 significant effects on the environment are expected during the operational phase as a result of works. The use of TS2010 road surfacing affords the benefits of a reduction in mid to high frequencies of traffic noise and a reduction in ground vibrations. As a result, ambient noise levels will decrease post construction.
- No disturbance is anticipated to protected species within the wider area.
- At end of life, components can be recycled, reducing waste to landfill.
- The design option conveys sustainability benefits by significantly reducing the quantity of maintenance interventions required at the location.
- The use of WMA will lead to a decrease in energy consumption and Carbon dioxide due to the heating requirements, compared to HMA.

Location of the scheme:

- The scheme will be confined within the existing carriageway boundary and as a result will not require any land take and will not alter any local land uses.
- Works are not located within an area designated for its specific landscape character or quality.
- The scheme is not situated in whole or in part within a sensitive area.
- Although a portion of the scheme is above a watercourse, with appropriate mitigation outlined above, the likelihood of pollution can be considered low.

Characteristics of potential impacts of the scheme:

- The works will be temporary, transient and localised and completed during nighttime hours with traffic management in place.
- Any potential impacts of the works are expected to be temporary, non-significant, and limited to the construction phase.
- The risk to major accidents or disasters is considered low.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding water environment.
- Road planings will be recycled where possible, in accordance with Environmental Authorisations (Scotland) Regulations (EASR).
- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications. Measures will be in place to ensure appropriate removal and disposal of waste.

References of supporting documentation

The following environmental surveys/reviews have been undertaken:

- Environmental Scoping Assessment (ESA) undertaken by Amey's Environmental Team in July 2026.
- Habitats Regulation Appraisal (HRA) Stage 1 undertaken by Amey's Environmental Team in July 2026. The HRA states that the scheme does not carry the potential to cause Likely Significant Effects (LSE) to the European or National Site.

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.

TRANSPORT SCOTLAND
CÒMHDHAIL ALBA

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