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Environmental Impact Assessment Record of Determination

A9 Layby 82 Southbound (North of Drumochter) - Resurfacing

Contents

Project Details **3**
Description 3
Location 4
Description of local environment **5**
Air quality 5
Cultural heritage 5
Landscape and visual effects 5
Biodiversity 7
Geology and soils 8
Material assets and waste 8
Noise and vibration 9
Population and human health 9
Road drainage and the water environment 10
Climate 11
Policies and plans **11**
Description of main environmental impacts and proposed mitigation **12**
Air quality 12
Landscape and visual effects 13
Biodiversity 14
Geology and soils 18
Material assets and waste 19
Noise and vibration 21
Population and human health 22
Road drainage and the water environment 23
Climate 25
Vulnerability of the project to risks **25**
Assessment of cumulative effects **26**
Assessments of the environmental effects **27**
Statement of case in support of a Determination that a statutory EIA is not required **27**
References of supporting documentation **29**
Annex A **30**

Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to undertake resurfacing and general maintenance on a layby adjacent to the A9 trunk road, north of Drumochter. The scheme comprises a 300m stretch of a layby adjacent to the southbound (SB) carriageway of the A9 trunk road, covering an area of 0.249ha. The proposed works will involve the resurfacing of the layby and spillway clearing. Layby signs which are in poor condition will also be replaced and repaired. Missing or damaged verge marker posts will be replaced: it is anticipated that a maximum of two admiral bollards will be replaced at the entrance and exit of the layby, and a maximum of five signs will be replaced within the layby itself. All sign/bollard replacements will be like-for-like. In addition, damaged timber fence posts will be replaced at a small section of the boundary fence near the entrance to the layby.

It is anticipated that minor vegetation clearance will be required as part of the proposed works. This is anticipated to be restricted to the three sections of fenced off areas on the layby verge which have become overgrown and require clearing to ensure sufficient water drainage.

The main plant required for the proposed works will include a paver, planer, excavators and rollers. A welfare unit with generator will be required on site and heavy goods vehicles (HGVs) will be required for the transport of materials and wastes.

The resurfacing procedure is as follows:

- Set up traffic management (TM) and mark out site
- Mill out old surface course
- Lay new surface course
- Roll surface and allow it to set
- Install road markings and studs
- Remove TM and open road

Additional works as described above will be conducted simultaneously.

The works are programmed to begin on the 18th of November 2026 for a duration of five nights with working hours between 19.00 and 06.00. Changes in the programme may result in a change to the proposed working hours/commencement date.

No site compound is required; site access and plant storage will be located within TM. The TM strategy will be in line with recommendations and guidance in the Traffic Signs Manual Chapter 8. TM will involve single lane closure on the A9 SB carriageway, with two-way temporary traffic lights and a convoy system in place during working hours (19.00-06.00). The layby will be fully closed throughout works.

Location

The scheme is located on the SB carriageway of the A9 trunk road at Layby 82, just north of Drumochter, in the Highland Council administrative area (Figure 1). The works will be conducted between National Grid References (NGRs) NN 62968 76555 and NN 63061 76288.



Figure 1: Scheme location

Description of local environment

Air quality

There are no Air Quality Management Areas (AQMAs) or Air Quality Monitoring Stations (AQMS) within 10km of the scheme extent.

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

Due to the rural location of the scheme, baseline air quality is likely to be good, with the main sources of air pollution derived from vehicular traffic on the A9 trunk road and trains on the nearby railway. Secondary sources are likely derived from land management activities in the surrounding area.

Cultural heritage

There are no World Heritage Sites, Scheduled Monuments, Battlefields, Listed Buildings, Conservation Areas or Garden and Designed Landscapes located within 300m of the scheme (PastMap).

Of lesser cultural heritage significance, the following are located within 300m of the scheme (PastMap):

- 'Shieling Settlement, Allt an Creagach' Historic Environment Record (HER) (reference: MHG55073) located 130m southeast of the scheme.
- 'Allt an Creagach' National Record of the Historic Environment (NRHE) (reference: 369265) located 150m south of the scheme.

As the works are restricted to the A9 trunk road boundary and there are no cultural heritage features of licensable nature within proximity of the proposed works; the potential for the presence of unknown archaeological remains in the study area has been assessed to be negligible. This receptor is not considered further in this Record of Determination (RoD).

Landscape and visual effects

The scheme is located wholly within the Cairngorms National Park (CNP) (Site ID: 8623), which is designated for the following general special qualities:

- *Magnificent mountains towering over moorland, forest and strath*

- *Vastness of space, scale and height*
- *Strong juxtaposition of contrasting landscapes*
- *A landscape of layers, from inhabited strath to remote, uninhabited upland*
- *'The harmony of complicated curves'*
- *Landscapes both cultural and natural*

The scheme does not lie within a National Scenic Area (NSA) or any other site designated for its landscape character and quality (NatureScot).

The Landscape Character Type (LCT) at the scheme extent is 'LCT 126- Upland Glen- Cairngorms' which has the following key characteristics:

- *Strong evidence of glacial processes, including steepened sides and level floors, shattered rock faces on higher slopes, hummocks of resistant rock on some glen floors and terraces of glacial deposits at the edges of glen floors.*
- *Often form arrival points into the Cairngorms National Park.*
- *Size varies from large open passes to narrower, more secluded, glens.*
- *Enclosed predominantly by steep slopes.*
- *Frequently differing land-use on one side of the glen to the other- linked to aspect.*
- *Improved, grazed fields on glen floors and floodplains.*
- *Mostly settled, some only sparsely, but often extensive evidence of past settlement, including prehistoric hut circles and associated field systems, pre-improvement townships, and seasonal shielings.*
- *Some landmark historic buildings.*
- *Access varies from narrow roads, estate and forestry tracks to main routes, but most have some form of road cutting through them.*
- *Varied experience when passing through glens from open and expansive to sheltered and secluded.*
- *Views to adjacent uplands; from which parts of the glens are visible and provide contrast.*

The scheme lies on a rural stretch of the A9, north of Drumochter. The land surrounding the scheme is largely comprised of mountains, mountainous scrub and moorland. Freshwater habitats such as rivers, lochs and tributaries are present throughout the landscape; alongside narrow strips of plantation and scattered pockets of mixed woodland. The A9 trunk road and the Highland Mainline Railway form dominant landscape features within the study area.

Land use immediately surrounding the scheme extent is classified as (HLA Map):

- Plantation
- Rough grazing

The A9 trunk road within the northwest Network Management Contract (NMC), connects Perth with Thurso. It commences immediately north of the Inveralmond Roundabout in Perth, leading generally northwards for a distance of 357 kilometres to its junction with an unclassified road leading to Holborn Head lighthouse at Scrabster. The A9 is a mixture of single carriageway, '2+1 carriageway and stretches of two-lane dual carriageway. The A9 is a single carriageway at the scheme extent.

Biodiversity

The scheme lies 30m west of the Drumochter Hills Special Area of Conservation (SAC) (Site ID: 8243).

The scheme lies 45m west of the Drumochter Hills Special Protection Area (SPA) (Site ID: 8491).

The scheme lies 90m east of the River Spey SAC (Site ID: 8365).

Due to the location of the works within the Drumochter Hills Site of Special Scientific Interest (SSSI), NatureScot has been consulted via SSSI consent regarding the proposed works. Following this consultation, and on advice from NatureScot, an Appropriate Assessment was produced. Details of this can be found in the assessment section below.

The Drumochter Hills SSSI (Site ID: 541) overlaps the scheme extent.

There are no other locally or nationally designated sites for biodiversity features (e.g. Local or National Nature Reserves) within 300m of the scheme (SiteLink).

The National Biodiversity Network (NBN) Atlas holds no records of bird species within 2km of the scheme (the search criteria included only records during the past ten years, and which have open-use attributions (OGL, CC0, CC-BY). However, this does not preclude their presence in the area and, under the Wildlife and Countryside Act 1981 (as amended), all wild birds and their active nests are protected, with certain species receiving additional protections.

Similarly, under the same criteria, the NBN Atlas holds no records of protected mammal species; however, this does not preclude their potential presence in the area.

The NBN Atlas also holds no records of invasive non-native species (INNS) of plants, injurious weeds or invasive native perennials (as listed in the NMC) under the same search criteria.

A search using Transport Scotland's Asset Management Performance System (AMPS) found no records of INNS, injurious weeds or invasive native perennials (as listed in the NMC) along the verges of the A9 within the scheme extent.

Habitat surrounding the scheme is predominantly comprised of moorland, narrow strips of plantation and freshwater waterbodies.

There are no areas of trees listed on the Ancient Woodland Inventory (AWI), within 300m of the scheme.

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

The BEAR Scotland NW Environment Team conducted an Ecological Constraints Survey (ECS) on 18th September 2026. It was assessed that no further surveys were necessary.

Geology and soils

The Drumochter Hills SSSI (Site ID: 541) overlaps the scheme extent and is designated for the following geological features (biodiversity features are detailed in the Biodiversity section above):

- Fluvial Geomorphology of Scotland

The scheme does not lie within 300m of a Geological Conservation Review Site (GCRS) (NatureScot).

Component soils at the scheme extent are light sand-rich, and medium sandy-loam soils and subsoils. Soils surrounding the scheme extent are of Carbon and Peatland Map 2016 Class 2; nationally important carbon-rich soils, deep peat with priority peatland habitat. These areas are of potentially high conservation value and restoration potential (Scotland's Soils).

Bedrock geology at the scheme extent is 'Gaick Psammite Formation- Psammite'. Superficial deposits are 'Till, Devensian- Diamicton' (Scottish Geology Trust).

Material assets and waste

The proposed works are required to replace worn surface and general maintenance of layby 82 adjacent to the A9 carriageway. Materials used will consist of:

- TS2010 10mm aggregate

- AC20 40/60 binder
- Milled in road studs
- Thermoplastic road marking paint
- Bituminous emulsion bond coat
- Timber rails for fence renewal
- New traffic sign plates
- New steel signposts
- Concrete for signpost bases
- New verge markers

Wastes are anticipated to be removed planings from the surface course, waste excavated from ditch clearing, cleared vegetation and removed bollards, signs and fence posts.

Coal tar has not been identified on site and there is no requirement for a site compound. Storage of plant and equipment will be within TM on the A9 carriageway.

The estimated scheme value is £150,000 and, as such a Site Waste Management Plan (SWMP) is not required.

Noise and vibration

For residential, community and commercial receptors refer to the 'Population and Human Health' section below.

The works do not fall within a Candidate Noise Management Area (CNMA) as defined by Transport Scotland's Transport Noise Action Plan (TNAP) 2024-2028.

The average evening, day and night (Lden) noise level at the scheme extent is between 59-69dB (SpatialData.gov.scot).

Due to the rural location of the proposed works, baseline noise levels are likely low, with the primary sources from vehicular traffic on the A9 trunk road and trains on the nearby railway. Secondary sources are likely derived from nearby land management operations.

Population and human health

There are no residential or commercial properties located within 300m of the scheme extent. The closest property lies approximately 1km northwest of the scheme; with visual and acoustic screening present in the form of topography and woodland.

The scheme extent is at a large layby and parking area adjacent to the SB carriageway of the A9 trunk road. The layby has one entrance and two exit points throughout.

A similar layby lies adjacent to the A9 northbound (NB) carriageway approximately 180m south of the scheme. There are no other access points or junctions within 300m of the scheme.

National Cycle Route 7 utilises a footway which runs parallel to the A9 NB carriageway 20m west of the scheme extents. This also forms part of the CNP Core Path 'UBS28' (Highland Council).

There are no walking routes designated by WalkHighlands within 300m of the scheme.

Transport Scotland's manual data counter (Site ID: 000000000148) located 4km north of the scheme, recorded an annual daily total (ADT) of 10,743 motor vehicles in 2025, of which 16.1% were heavy goods vehicles (HGVs).

Road drainage and the water environment

The scheme and surrounding area are underpinned by the Strathnairn, Speyside and Cairngorms groundwater body (ID: 150709). In 2024, it was assigned 'Good Ecological Potential' by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) (SEPA).

The River Truim from source to Allt Cuaich confluence (ID: 23638) is a river in the River Spey catchment of the Scotland river basin district. The main stem is approximately 15.6km in length and it is spanned by the A9 trunk road approximately 40m south of the scheme. The water body has been designated as a heavily modified water body on account of physical alterations that cannot be addressed without a significant impact on water storage for hydroelectricity generation. In 2024, it was assigned 'Moderate Ecological Potential' by SEPA under the WFD (SEPA).

There are several other unclassified water bodies and drains within 300m of the scheme and culverted under the A9 trunk road (SEPA).

SEPA Flood Map has indicated that there is a medium to high chance of surface water and small watercourse flooding (i.e. a 0.5-10% chance of flooding each year) throughout the majority of the scheme extent; particularly towards the southern end closest to the River Truim watercourse.

Climate

The Climate Change (Scotland) Act 2009 ('The Act'), and its subsequent amendment under the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, sets the framework for the Scottish Government to address climate change. The Act has an ambitious target to reach Net Zero greenhouse gas emissions by 2045, with any residual emissions balanced by removing carbon dioxide from the atmosphere. This is five years earlier than the rest of the UK due to the greater potential for carbon sequestration in Scotland.

The Act was amended to replace interim targets with carbon budgets. Carbon budgets are legally binding caps on greenhouse gas emissions in Scotland over five-year periods. In line with the Act, the Climate Change Committee (CCC) published advice on the level of Scotland's four carbon budgets, covering the period 2026 to 2045, recommending what the Scottish Government sets its carbon budgets at for annual average levels of emissions. These recommendations are based on an ambitious but credible route to Net Zero for Scotland by 2045.

Emissions reductions from surface transport are the largest contribution to meeting the first two carbon budgets. The pathway for surface transport emission reduction is primarily driven by the uptake of electric vehicles, in addition to measures to enable a shift from car use to public transport and active travel, which all play a role in reducing emissions from fossil fuel cars. Ensuring efficiency of existing transport infrastructure and improving/providing new active travel facilities is therefore important to support these carbon reduction budgets.

Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, Transport Scotland are committed to reducing their emissions by 75% by 2030 and to the above noted legally binding target of net-zero by 2045. Transport Scotland is committed to reducing carbon across Scotland's transport network and this commitment is being enacted through the Mission Zero for Transport (Mission Zero for transport | Transport Scotland).

Policies and plans

This RoD has been undertaken in accordance with all relevant regulations, guidance, policies and plans, notably including the Environment and Sustainability Discipline of the Design Manual for Roads and Bridges (Design Manual for Roads and Bridges (DMRB)) and Transport Scotland's Environmental Impact Assessment Guidance (Guidance - Environmental Impact Assessments for road projects (transport.gov.scot)).

Description of main environmental impacts and proposed mitigation

Air quality

Construction activities associated with the proposed works have the potential to temporarily cause local air quality impacts. The main sources are likely to be dust and particulate matter generated by resurfacing operations, excavations and vegetation clearance, as well as exhaust emissions from ancillary plant and vehicles. As a result, there is potential for dust, particulate matter, and exhaust emissions to be emitted to the atmosphere. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to air are considered to be low.

- A water-assisted dust sweeper will sweep the carriageway after dust-generating activities and waste will be contained and removed from site as soon as is practicable.
- Materials that have the potential to produce dust will be removed from site as soon as possible, and vehicles that remove cold-milled material from site will have sheeted covers.
- Ancillary plant, vehicles and machinery will have been regularly maintained, paying attention to the integrity of exhaust systems.
- Ancillary plant, vehicles and machinery will be switched off when stationary to prevent exhaust emissions (e.g., there will be no idling vehicles).
- Cutting, grinding and sawing equipment (if required) will be fitted or used in conjunction with suitable dust suppression techniques e.g., local exhaust ventilation system that fits directly onto tools.
- Regular monitoring (e.g., by engineer or Clerk of Works) will take place when activities generating air pollution are occurring. In the unlikely event that unacceptable levels of air pollution are emanating from the site, the operation will, where practicable, be modified and re-checked to verify that the corrective action has been effective. Actions to be considered include: (a) minimizing cutting and grinding on-site, (b) reducing the operating hours, (c) changing the method of working, etc.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- Material stockpiles will be reduced as far as is reasonably practicable by using a ‘just in time’ delivery system. All material will also be stored on made ground.

- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials will be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.

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

Landscape and visual effects

There will be a temporary, short-term impact on the landscape character and visual amenity of the site as a result of the presence of construction plant, vehicles and TM. However, people, ancillary plant, vehicles, machinery and materials will be restricted to areas of made/engineered ground on the A9, and construction works are programmed to be of a short duration (five nights).

Minor permanent change will occur to the local landscape due to resurfacing, vegetation clearance and the replacement of bollards, signs and fence posts. However, all change is within the A9 trunk road boundary and replacement of bollards, signs and fence posts will all be like-for-like. Additionally, vegetation clearance will be minor in nature and restricted to three sectioned off areas on the grass verge separating the layby from the main carriageway.

The visual impact of the works will be minimal and, on completion of the works, a renewed layby surface, cleared ditches, replaced signs, bollards and fence posts and minor vegetation clearance will be the only discernible change. The CNP Authority will be notified of the proposed works and, if required, additional mitigation measures will be included in the SEMP and adhered to on site.

In addition, the following mitigation measures will be put in place during works:

- Vegetation clearance will be limited to only the amount necessary to complete the works.
- All replacement of signs, bollards and fence posts will be like-for-like and in keeping with the character of the existing street furniture.
- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- Works will avoid encroaching on land and areas where work is not required or not permitted. This includes general works, storage of equipment/containers and parking.

- Where applicable, upon completion of the works, any damage to the local landscape will be reinstated as much as is practicable.
- The site will be left clean and tidy following construction.

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

Biodiversity

The scheme is located wholly within the Drumochter Hills SSSI. The proposed works fall under several 'operations requiring consent' and, as such, SSSI consent has been obtained from NatureScot. All conditions of the SSSI consent will be detailed in the SEMP and adhered to on site. The scheme is also located in close proximity to the Drumochter Hills SAC, Drumochter Hills SPA and River Spey SAC. Due to the proximity to the designated sites, an HRA was produced following consultation with NatureScot via SSSI consent. The HRA concluded that there would be no Likely Significant Effects (LSE) on the qualifying features of the Drumochter Hills SAC on account of the following:

- No works are required within the boundary of the SAC.
- Vegetation clearance is restricted to three fenced areas within the layby boundary and no qualifying habitat associated with the SAC is present in these areas.
- There is limited hydrological connectivity between the SAC and the proposed works.
- The qualifying habitats are immobile and standard working practices to prevent pollution will be in place.
- NatureScot also advised there would be no LSE on the qualifying features of the SAC due to the restriction of the works to the trunk road boundary.

The HRA also concluded that there would be no LSE on the qualifying features of the Drumochter Hills SPA on account of the following:

- No works will take place within the boundary of the SPA.
- Vegetation clearance associated with the works is restricted to three fenced areas which does not hold supporting habitat for the qualifying bird species
- Standard working practices to prevent pollution will be in place.
- There is no suitable nesting habitat for the qualifying bird species within the works area, and suitable nesting habitat is located 50m from the scheme with intervening landscape features

- Works are highly localised and of short duration, with ample alternative foraging habitat available to qualifying bird species away from the works area
- Qualifying bird species are likely habituated to existing levels of noise and light disturbance associated with the A9 trunk road
- NatureScot also advised that the works would not result in LSE on the qualifying features of the SPA due to the restriction of the works to the A9 trunk road and the timing of works outside breeding bird season (March to August inclusive).

LSE on the qualifying features of the River Spey SAC could not be ruled out due to the known presence of the features in proximity to the works and the risk of pollution impacts and disturbance. However, following Appropriate Assessment, no adverse effects on site integrity (AESI) on the qualifying features of the River Spey SAC with the below mitigation measures in place, along with standard good practice measures to prevent pollution and noise and visual disturbance. NatureScot also advised of this assessment.

Ecological surveys conducted did not identify any protected mammal shelters, resting places or field signs within proximity to the scheme.

The surrounding habitat is suitable for nesting birds, including ground nesting birds; however, the proposed works will be conducted outwith nesting bird season (March to August inclusive). If the proposed works are delayed into nesting bird season, a pre-construction nesting bird check will be conducted.

Ecological surveys also identified the native invasive weed, rosebay willowherb, throughout the scheme extent, including within areas required for vegetation clearance. Mitigation measures to avoid the spread of injurious weeds will be detailed in the SEMP and are summarised below.

In general, activities undertaken on site could potentially have a temporary adverse impact on biodiversity in the area as a result of increased vehicle presence and the increase in noise and artificial lighting during the night. However, works are restricted to the A9 trunk road boundary, the number of construction vehicles and operatives required on site is low and works are of a short duration (five nights). In addition, any species in the area are likely to be accustomed to noise and visual disturbance pertaining to vehicle movements on the A9. Therefore, the potential for significant species disturbance within the area is considered low.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the SEMP and adhered to on site.

The following mitigation measures to avoid AESI on features associated with the River Spey SAC will be in place throughout works:

- Artificial lighting required for works will be directed on the immediate works area and away from watercourses as far as is safe and reasonably practicable.
- Plant, machinery and equipment will be fitted with effective silencers where available. Where fitted and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.
- Where possible, inherently quiet plan will be selected for construction works. Where appropriate, pumps and generators will be sound-reduced models with fitted, lined and sealed acoustic covers.
- All plant will be operated in such a way that minimises noise emissions and be switched off when not in use.

The following mitigation measures to avoid AESI on mammals associated with the River Spey SAC will be in place throughout works:

- Toolbox Talk will be included in the SEMP and provided to all site staff prior to works commencing.
- Artificial lighting used during night works will be used for as short a duration as possible and directed on the immediate area of works. Artificial lighting will avoid being directed onto nearby watercourses or habitats as far as is safe and reasonably practicable.
- The working area and any machinery stored on site will be checked at the start of each shift. A soft start will be implemented to ensure a gradual increase in noise and activity.
- Any excavations, entrances to pipes/drains, or areas where an animal could be trapped (e.g. storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works.
- If excavations (e.g., trenches) cannot be covered, escape ramps will be installed.
- If fencing is used at any point during works, a gap of 200mm from ground level will be provided, allowing free passage and preventing entrapment.
- If animals are observed in the area of works prior to works starting, no works will commence until they have moved at least 50m away.
- If animals are observed during works, all works will cease until they have moved at least 50m away.
- Works will be restricted to the A9 trunk road boundary at Layby 82 only, including the storage of plant, machinery and equipment.
- Plant, machinery and equipment fitted with effective silencers where available will be utilised for the works. Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.

- Where possible, inherently quiet plant will be selected for construction works. Where appropriate, pumps and generators will be sound-reduced models with fitted, lined, and sealed acoustic covers.
- All plant will be operated in such a way that minimises noise emissions and be switched off when not in use.
- All ancillary plant such as generators will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

The following general mitigation measures will be in place to minimise impacts on other biodiversity features in the area:

- All conditions of the SSSI consent issued by NatureScot will be detailed in the SEMP and adhered to on site.
- No in-water works in a natural watercourse or discharge into the water environment will be permitted.
- Works will be strictly limited to areas required for access and to carry out the works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- All construction operatives will be briefed through toolbox talks prior to works commencing, which will be included in the SEMP. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species.
- Artificial lighting used during nighttime works will be used for as short a duration as possible and directed on the immediate area of works. Artificial lighting will avoid being directed onto nearby woodland habitat and watercourses as far as is safe and reasonably practicable.
- Site personnel will remain vigilant for the presence of any protected species throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species will be reported to the BEAR Scotland Environmental Team. If required, NatureScot will be contacted for advice.
- Measures to mitigate the spread of invasive weeds within the works area will be detailed in the SEMP and adhered to on site.
- The Working with INNS and Injurious Plants toolbox talk will be issued to operatives prior to the commencement of works.
- Access and works within 7m of INNS or injurious weed growths will be avoided where possible. Where this is not possible, access and works will be kept to the minimum required to facilitate the works.
- Strict hygiene measures will be adhered to at all times to limit the spread of INNS and/or injurious weeds.

- Storage of plant, materials and equipment will be restricted to the made ground of the A9 carriageway, away from areas of rosebay willowherb.
- Any rosebay willowherb which is required to be cleared as part of the works will be left on site, more than 10m from any watercourses or drainage ditches.
- A 'soft start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.
- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g. storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level will be provided, allowing free passage for mammals and preventing entrapment.
- If an active bird nest is found in vicinity of the works, all works within 30m of the nest will stop until the BEAR Scotland Environment Team can provide advice.
- If works are delayed into nesting bird season (March to August inclusive), a pre-works nesting bird check will be conducted prior to works commencing and prior to any vegetation clearance.
- If nesting birds are found during pre-works checks or during works, consultation with NatureScot will be carried out and a licence will be sought if advised by NatureScot. If required, all conditions of any licences will be adhered to.

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

Geology and soils

The scheme is located wholly within the Drumochter Hills SSSI which is designated for Fluvial Geomorphology of Scotland, in addition to biodiversity features detailed above. SSSI consent has been sought from NatureScot and all conditions of the SSSI consent will be detailed in the SEMP and adhered to on site.

Excavation is required as part of the resurfacing works, ditch clearing and for the replacement of damaged fence posts, signs and bollards. However, this is restricted to the A9 trunk road boundary, and all verge excavations will be conducted by machinery from the hard standing of the layby or by operatives utilising hand tools. Therefore, some localised soil exposure/disturbance may occur during excavations

and during ditch clear out; however, this will be minor in nature and will involve excavation in areas for replacement of street furniture only. It is not anticipated that this will result in any change to local soil make-up and standard working practices will limit any potential pollution of soils. To mitigate any adverse impacts on geology and soils, the following measures will be in place:

- Excavation will be restricted to the trunk road boundary and to the minimum amount necessary to complete the works.
- Verge excavations will be conducted utilising machinery from the hard standing of the layby only (i.e. no heavy machinery will be used on the verges).
- If excavated soils are to be re-used on site, then it will be wetted (if necessary) during periods of dry weather to prevent drying out.
- Upon completion of the works, any damage to the local landscape will be reinstated as much as is practicable.
- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.
- The parking of machinery / vehicles and storage of equipment on verges will be minimised as far as is reasonably practicable.
- All relevant soil management toolbox talks will be included in the SEMP and sediment control measures will be in place where required.
- Additional pollution prevent measures as outlined in the 'Road drainage and the water environment' section will be adhered to during construction.

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

Material assets and waste

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

- Materials will be sourced from recycled origins as far as reasonably practicable within design specifications.
- Care will be taken to order the correct quantity of required materials to prevent disposal of unused materials.
- Where possible, minimal packaging will be requested on required deliveries to reduce unnecessary waste and production of packaging materials.

There is potential for impacts during works are a result of the improper storage or disposal of waste. The following mitigation measures will be put in place:

- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- All waste stored on site will be adequately protected against the elements.
- The subcontractor will adhere to waste management legislation and ensure they comply with their Duty of Care.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.
- All road planings will be treated in line with Low Risk Waste Activity (LRWA) 3 and be recycled in line with SEPA's WAS-G-DEF-05 Guidance for End-of-Waste for Recycled Aggregates.
- It is anticipated that soil waste from excavations will be redistributed on site. Cleared vegetation, old fence posts, old signs and old bollards will be removed from site and disposed of appropriately.
- Management of waste from ditching works is covered by LRWA 9: 'Depositing non-hazardous waste dredging materials from inland waters, or sustainable urban drainage systems, on land near to where the dredging takes place'. The following LRWA9 conditions will be adhered to for any ditching works, where waste is not being removed from site:
    - Waste will be produced by a dredging activity that is authorised by General Binding Rule (GBR), Registration or Permit.
    - Waste will be deposited at the same site where it was produced.
    - Waste will not be left on the banks such that its placement heightens the banks of any river, burn, ditch or loch.
    - Large items, litter, or fly-tipped waste will be removed from the dredged materials and transported to a suitably authorised site by a registered transporter of waste.
- All wastes and unused materials will be removed from site in a safe and legal manner by a licensed waste carrier upon completion of the works. The appointed waste carrier will have a valid SEPA waste carrier registration, a copy of which will be provided to and retained by BEAR Scotland as early as possible.
- All appropriate waste documentation will be present on site and be available for inspection. A copy of the Duty of Care paperwork will be provided and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).
- Re-use and recycling of waste will be encouraged, and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g., waste carrier's licence, transfer notes, and waste exemption certificates).

- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.
- Where applicable, all temporary signage will be removed from site on completion of the works.

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

Noise and vibration

Construction activities associated with the proposed scheme have the potential to cause adverse noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. However, the works are not located within a CNMA, and there are no residential or commercial properties within proximity to the scheme, with the closest property at a distance of 1km. The works will employ a night-time pattern with the noisiest works (e.g. planing) completed by 23:00 where practicable. Therefore, works with the potential to induce worst-case scenario noise and vibration will be intermittent, temporary and short-lived.

The road surface of the layby is in poor condition with a series of defects. Replacing the life-expired surface course affords benefits of a reduction in mid-to-high frequency traffic noise and a reduction in ground vibrations. As a result, upon completion of the work, noise associated with the movement of vehicles within the layby should decrease post construction.

The following mitigation measures will be put in place:

- The Best Practicable Means, as defined in Section 72 of the Control of Pollution Act 1974, will be employed at all times to reduce noise to a minimum. On-site construction tasks will be programmed to be as efficient as possible, with a view to limiting noise disruption to local sensitive receptors.
- The Environmental Health Officer (EHO) for the Highland Council will be notified of works.
- The noisiest works (e.g. planing) will be programmed to be completed by 23.00 where possible.
- Where possible, inherently quiet plant will be selected for construction works.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.
- Drop heights from vehicles and machinery will be kept to a minimum to minimise noise when unloading.
- All plant, machinery and vehicles will be switched off when not in use.

- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

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

Population and human health

During construction, activities undertaken on site have the potential to have temporary adverse impacts on vehicle travellers and non-motorised users (NMUs) as a result of construction presence and associated noise and delays due to TM measures and the closure of the layby.

However, no residential or commercial properties are located within 300m of the scheme. In addition, no significant congestion issues are noted during the proposed construction hours; however, increased journey times may occur due to TM measures. However, these are considered insignificant considering the timing of works during off-peak tourist season, the restriction of the main works to the layby and the night-time working hours. Road users will be informed of the works through media release which will provide details of construction dates and times.

The walking route and core path located adjacent to the A9 NB carriageway will not be directly impacted by the works and will remain open throughout.

With the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low:

- Notification will be issued to local residents and local public transport operators prior to the commencement of works, advising of any proposed works and expected restrictions.
- Local access will be granted where required.
- Construction lighting will consider the need to avoid illuminating the surrounding environment to avoid a nuisance at night; and non-essential lighting will be switched off when not required.
- Appropriate provisions / measures will be implemented within the works area to allow the safe passage of NMUs of all abilities through the site (if required).

- Journey planning information will be available for drivers online at the trafficscotland.org website. Journey planning information will also be available for drivers online through BEAR's social media platforms.
- Layby closures will be signposted in advance.

Taking into account the nature and scale of the works and the good site practice measures to be adopted during the works (outlined in the SEMP), it is anticipated that any population and human health effects associated with the works are unlikely to be significant. This receptor is not considered further in this RoD.

Road drainage and the water environment

During the works, there is potential for temporary impacts on the water environment due to the operation of plant within proximity to watercourses and/or drainage systems. Potential changes in water quality from pollution events (either by accidental sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain/flooding) during works have the potential to have a direct or indirect effect on the surrounding water bodies.

No in-water works within natural watercourses are required and there is no abstraction or transfers of water from, or discharges to, a water body. As such, the potential for a direct pollution incident within a water body is unlikely. Experience gained from BEAR maintenance schemes elsewhere on the network has shown that, where good working practice is adopted (e.g. adherence to SEPA good practice guidance, appropriate containment measures, etc.), water quality is protected.

The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of the works:

- No in-water works in a natural watercourse or discharges into any watercourses or drainage systems are permitted.
- Standard working practices to comply with the Environmental Authorisations (Scotland) Regulations (EASR) 2018 for works in or near water will be detailed in the SEMP and adhered to on site.
- Appropriate containment measures will be in place to prevent any loss of construction materials into the water environment.
- Appropriate measures will be implemented during resurfacing operations to limit the potential for wastes (i.e. road planings) and materials (i.e. new asphalt) to enter any gullies present on site. On completion of resurfacing operations, any gullies present on site will be visually checked to ensure that they have not become blocked as a result of the works.
- A toolbox talk on silt and sediment containment will be included in the SEMP and delivered to all site staff as part of the site induction.

- Concrete batching, where required, will be undertaken on an impermeable surface and 10m away from watercourses/ drainage systems.
- Any concrete wash-out will be contained and removed off-site for appropriate treatment/ disposal. Disposal of wash water into waterbodies or road drainage will not be permitted.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills will be logged and reported. In the event of any spills into the water environment, all works will stop and the incident will be reported to the project manager and the BEAR Scotland Environmental Team. SEPA will be informed of any such incident as soon as possible using the SEPA Pollution Hotline.
- All plant and equipment will be regularly inspected for any signs of damage and leaks. A checklist will be present to make sure that the checks have been carried out.
- Storage of hazardous material, oil and fuel containers will be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers will be stored on an impermeable area and be fully bunded. This will be distanced more than 10m from any watercourses.
- During refuelling of smaller mobile plant, a funnel will be used, and drip trays will be in place. Care will be taken to reduce the chance of spillages. Spill kits will be quickly accessible to capture any spills should they occur. The ground / stone around the site of a spill will be removed, double bagged and taken off site as special waste.
- Generators and static plant may have the potential to leak fuel and / or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded then drip trays will also be supplied beneath the equipment with a capacity of 110%.
- All storage of hazardous materials utilised on site is required to undergo assessment under the Control of Substances Hazardous to Health (COSHH) Regulations 2002. These assessment(s) will contain a section on environment which highlights any precautions and mitigation requirements.
- Felled vegetation material will be disposed of appropriately in line with the NW NMC (Schedule 5, Appendix 0/1, 3010SR Maintenance of Established Trees and Shrubs).
- Any vegetation cuttings will not be disposed of in any watercourses or road drainage systems. Cuttings will be removed from site and disposed of appropriately. Any cuttings left on site will be left at least 10m away from any watercourses or drainage systems.

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

Climate

Construction activities associated with the proposed scheme works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. However, considering the nature, short-term duration, size and scale of the works, and the mitigation measures detailed below, the risk of significant impacts to climate are considered to be low:

- BEAR Scotland will adhere to its Carbon Management Policy.
- If appropriate, warm mix asphalt will be used.
- Local contractors and suppliers will be used as far as practicable to reduce fuel use and greenhouse gas emitted as part of the works.
- Where possible, materials will be sourced locally to reduce greenhouse gas emissions associated with materials movement, and waste will be removed to local waste management facilities.

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

Vulnerability of the project to risks

It is anticipated the proposed ditch clearing works and vegetation clearance will improve road drainage and reduce the likelihood of flooding at this section of the A9. Additionally, the works will be programmed, as far as is reasonably practicable, to avoid periods of adverse weather or heavy rainfall.

Works are restricted to the A9 trunk road boundary and TM will be designed in line with existing guidance. Where required, alternative NMU provisions / routes will be included in the TM setup to minimise impacts of works on NMUs.

A Traffic Management Plan (TMP), which includes measures to avoid or reduce disruption to road traffic, will be produced in accordance with the Traffic Signs Manual (Department of Transport 2009). The TMP will ensure that there is no severance of community assets, access routes or residential development.

The works will not result in any change in the vulnerability of the A9 carriageway to risk, or in severity of major accidents/disasters that would impact on the environment.

A SEMP will be put in place which will set out a framework to reduce adverse impacts from construction activities on sensitive environmental receptors. The SEMP will set out the commitments and constraints and will identify the procedures and measures that will be used to manage and control these aspects. The contractors will be required to comply with all conditions of the SEMP, as well as the conditions of all licences/consents.

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

Assessment of cumulative effects

The proposed works are not anticipated to result in significant environmental effects. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

A search of the Highland Council Planning Portal found no approved planning applications within 300m of the scheme in the last two years.

A search of the Scottish Roads Works Commissioner website (Map Search) has identified that there are no roadworks planned for the same period as the proposed works.

BEAR Scotland programme all of their proposed works in line with appropriate guidance and contractual requirements. All schemes are programmed to take into account existing and future planned works, with a view of limiting any cumulative effects relating to TM. As a result of this exercise, where a potential for cumulative impacts is identified, BEAR will reprogramme schemes to avoid / limit any cumulative effects or will utilise existing TM to complete multiple schemes at once. This approach allows BEAR Scotland to effectively manage the potential cumulative effects as a result of TM, resulting in minimal disruption to users of the Scottish trunk road network.

Overall, it is unlikely that the proposed works will have significant cumulative effects with any other future works in the area.

Assessments of the environmental effects

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

Due to the proximity to the Drumochter Hills SAC, Drumochter Hills SPA and River Spey SAC, and on advice from NatureScot following SSSI consent and consultation for works within the Drumochter Hills SSSI, an HRA was produced. The HRA concluded that there would be no LSE of the works on the qualifying features of the Drumochter Hills SAC or the Drumochter Hills SPA. However, LSE could not be ruled out for the qualifying features of the River Spey SAC; however, with appropriate measures in place, the proposed works will not result in AESI.

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) is situated within Cairngorms National Park and Drumochter Hills Site of Special Scientific Interest which are sensitive areas within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

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

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

Characteristics of the scheme:

- All conditions of the SSSI consent will be adhered to on site and no works will take place until the SSSI consent is in place.
- Works are restricted to like-for-like replacement of worn layby road surface and worn street furniture, and routine ditch clearance; with all works restricted to the A9 trunk road boundary.
- Construction activities are restricted to a length of 300m and 0.249ha.
- Works will be temporary, localised and completed during nighttime hours with the aim being to complete the noisiest works by 23.00.
- Works are not expected to result in significant disturbance to nearby receptors or protected species that may be present in the wider area.
- A pre-construction nesting bird check will be conducted if works are delayed into nesting bird season.
- Measures to mitigate the spread of invasive weeds located within the works area will be detailed in the SEMP.
- The risk of major accidents or disasters is considered to be low.
- Ecological surveys did not identify any protected mammal shelters or resting places within 200m of the proposed works.
- Any potential impacts of the works are expected to be temporary, non-significant, and limited to the construction phase.
- By removing the carriageway defects this will provide this A9 layby with another life cycle, and significantly improve the ride quality which will result in safer conditions for road users.
- No impacts on the environment are expected during the operational phase as a result of the works. The works are expected to result in positive impacts on road users during the operational phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- Vegetation clearance will be limited to the minimum amount necessary to facilitate the works.

Location of the scheme:

- The scheme is located within the existing A9 trunk road boundary and, as such, no land take is required.
- The scheme lies wholly within CNP and the CNP Authority will be consulted prior to works commencing. Any mitigation measures outlined by CNP Authority will be detailed in the SEMP and adhered to on site.
- The scheme is located wholly within the Drumochter Hills SSSI and SSSI consent has been obtained from NatureScot.
- The scheme has ecological connectivity with multiple European sites and all mitigation measures detailed in the Appropriate Assessment will be detailed in the SEMP and adhered to on site.

- There are no features of cultural heritage importance within 300m of the scheme.
- There is no requirement for a site compound, with materials and plant stored within TM.
- Local access will be granted as much as reasonably practicable.

Characteristics of potential impacts of the scheme:

- Any potential impacts of the works are expected to be temporary, short-term, non-significant and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- Measures to mitigate the introduction and/or spread of INNS and injurious weeds will be detailed in the SEMP.
- Any mitigation measures advised by the CNP Authority and NatureScot will be adhered to on site.
- No impacts on the environment are expected during the operational phase as a result of the works. The works are expected to result in positive impacts on road users, ecological and human receptors during the operational phase.
- Residual visual impacts will be localised to the existing A9 layby and are not considered to be significant.
- As the works are restricted to like-for-like replacement routine maintenance of the trunk road assets, there is no change to the vulnerability of the road or the risk or severity of major accidents/ disasters.
- Works are programmed to be of short duration and undertaken during night-time working hours.
- The SEMP will include plans to address environmental incidents.
- No in-combination effects have been identified.

References of supporting documentation

Habitats Regulations Appraisal (HRA) Proforma- A9 Layby 82 Southbound (North of Drumochter), (BEAR Scotland, 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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