

# 1 Introduction

## 1.1 Overview

- 1.1.1 The design and assessment of the A9/A96 Inshes to Smithton scheme (hereafter referred to as the proposed scheme) has progressed through the Design Manual Roads and Bridges (DMRB) Stage 2 route option assessment (Jacobs 2017) and a preferred option was announced in October 2017. Since 2017 the preferred option has been further developed and assessed through the DMRB Stage 3 process.
- 1.1.2 This Environmental Impact Assessment Report (EIAR) has been prepared in relation to the proposed scheme, progressed to a Stage 3 level of design in accordance with the DMRB. This would form the basis for the detailed design to be constructed by the appointed contractor(s), subject to agreement with Transport Scotland and in adherence to environmental mitigation identified within this EIAR.
- 1.1.3 The following figures and appendices support this chapter and are cross referenced where relevant:
- Figure 1.1 (Site Location Overview);
  - Figure 1.2 (Main Land Use and Environmental Constraints);
  - Appendix A1.1 (Record of Determination (RoD)); and
  - Appendix A1.2 (Statement of Competency).

## 1.2 Background to the Proposed Scheme

- 1.2.1 The Strategic Transport Projects Review (STPR) (Jacobs, Faber Maunsell, Grant Thornton and Tribal Consulting 2008a and 2009a) sets out the Scottish Government's transport investment priorities over the coming decades. Specific trunk road interventions that emerged from the review included upgrading the A96 between Inverness and Nairn to dual carriageway standard and including a new road connecting the A96 and A9 south of Inverness (Intervention 18). It also recommended interventions to the A9 Perth – Inverness Trunk Road corridor including improving the operational effectiveness of the A9 as it approaches Inverness.
- 1.2.2 Following the publication of the STPR, Transport Scotland commissioned Jacobs in September 2010 to undertake a DMRB Stage 2 route options assessment for the A96 corridor from Inverness to Nairn. The report, 'A96 Inshes to Nairn DMRB Stage 2 Study, Route Options Assessment Report (2011)' considered a number of options for improvements to the A96 corridor and included a new dual carriageway road between Inshes on the A9 and Smithton on the A96. Further to addressing the recommendations of the STPR, the design work was undertaken in order to support The Highland Council's Local Development Plan Proposals for the A96 corridor and improve the operation of the trunk road around Inverness.
- 1.2.3 In February 2012 Transport Scotland and The Highland Council undertook a joint consultation on the emerging Local Development Plan proposals and options for a new dual carriageway trunk road between the A9 at Inshes and the A96 at Smithton. Feedback from the consultation highlighted a number of concerns regarding the scale of the proposals for the dual carriageway between Inshes and Smithton and the severance, accessibility and integration aspects of the proposals. Following this feedback, the opportunity was taken to re-examine the wider context of the connection between the A9 and A96.
- 1.2.4 In 2013, Transport Scotland commissioned Jacobs to undertake the A9/A96 Connections Study. The study reviewed the wider issues on the A9, A96 and A82, and the local road network impacts in consultation with The Highland Council. It was undertaken following Scottish Transport Appraisal Guidance (STAG) which reviewed all modes of transport including walking, cycling and public transport.
- 1.2.5 In May/June 2014 Transport Scotland undertook a series of public exhibitions to present the options under consideration for junction improvements at Longman and a new road from the A9 at Inshes to the A96 at Smithton, and to seek public feedback on the emerging options. This was a joint exhibition with

The Highland Council who also presented the land use and local transport proposals relating to the Inshes and Raigmore Development Brief and Inshes Junction Improvements – Phase 2.

- 1.2.6 In June 2015 the then Cabinet Secretary for Infrastructure, Investment and Cities, Keith Brown MSP, announced the emerging findings of the A9/A96 Connections Study which concluded that further design development should be undertaken for the grade-separation of the A9/A82 Longman Roundabout and two possible options for a single carriageway road connecting the A9 at Inshes across to the A96 at Smithton.
- 1.2.7 The A9/A96 Connections Study was published in March 2016. Following this, Transport Scotland commissioned Jacobs to undertake a DMRB Stage 2 assessment to further assess the options for a single carriageway road connection between the A9 at Inshes and the A96 at Smithton. Three options (Options 1, 2 and 3) were assessed, each with variants 'A' and 'B' to reflect the alternative alignment options close to Ashton Farm. The grade-separation of Longman roundabout was not included within the scope of this assessment and this is being taken forward as a separate project.
- 1.2.8 On 30 January 2017 the £315 million Inverness and Highland City-Region Deal was formally signed. It forms an important delivery mechanism for the Region's economic vision and aims to improve connectivity through investments in transport, including the development of the A9/A96 Inshes to Smithton scheme.
- 1.2.9 The DMRB Stage 2 route options assessment (Jacobs 2017) was completed with the preferred option presented to the public at a series of public exhibitions in October and November 2017. The preferred option (Option 3) maintained the 'A' and 'B' variants close to Ashton Farm and these variants were further assessed at DMRB Stage 3.
- 1.2.10 Following the announcement of the preferred option, Jacobs was instructed by Transport Scotland to progress the DMRB Stage 3 design, including completion of a DMRB Stage 3 Environmental Impact Assessment (EIA), and to provide services to complete an EIAR and draft Orders for the proposed scheme.
- 1.2.11 The 'A' and 'B' variants of the preferred option were further reviewed during the early design development at DMRB Stage 3. This was to allow for further consultation and consideration of the integration of the proposed scheme with The Highland Council's draft Inverness East Development Brief. The preferred variant of the preferred option (Variant B) was chosen in May 2018, and two public drop-in sessions were held in conjunction with the announcement to advise members of the public of this decision and to update them on further design development.
- 1.2.12 The DMRB Stage 3 design for the proposed scheme is being developed with particular cognisance of the following other schemes; A96 Inverness to Nairn (including Nairn Bypass) scheme and The Highland Council's Inshes Junction Improvements – Phase 2. The proposed scheme is inter-dependent with both of these schemes, and further information on how these have been integrated into the environmental assessment is provided in Chapter 5 (Overview of Assessment).
- 1.2.13 The draft Orders and Environmental Statement for the A96 Inverness to Nairn (including Nairn Bypass) scheme were published on 29 November 2016. The Public Local Inquiry (PLI) into the scheme commenced on 30 October 2018 and concluded on 20 November 2018. Following detailed consideration of all objections made but not withdrawn, and all evidence heard at the PLI, the Reporters will provide recommendations to the Scottish Ministers for their determination. This determination was not yet known at the time of publication of this EIAR.
- 1.2.14 Proposed layouts for the Inshes Junction Improvements – Phase 2 were presented at public consultations in May and June 2014, and the optimum design solution is still in progress. At the time of publication of this EIAR, the designs were expected to go to public consultation in 2019 with the aim of submitting a planning application in 2020.

### **1.3 Strategic Environmental Assessment**

- 1.3.1 The Strategic Environmental Assessment (SEA) for the STPR (Jacobs, Faber Maunsell, Grant Thompson and Tribal Consulting 2008b and 2009b) was undertaken in 2008 to consider the likely environmental effects of the interventions emerging from the STPR.
- 1.3.2 This assessment concluded that the STPR would cumulatively bring a number of benefits to local and regional areas of Scotland, as well as having nationwide benefits. Although the combination of interventions would also give rise to cumulative adverse effects, largely as a result of the required new infrastructure, there would be opportunities to mitigate potential adverse effects by minimising individual adverse project effects in accordance with specific project assessments.

### **1.4 Site Location Overview**

- 1.4.1 The location of the proposed scheme is within the greater Inverness area, between the communities of Inshes and Smithton, within The Highland Council local authority.
- 1.4.2 The predominant land use surrounding the proposed scheme is agricultural (high quality), interspersed with areas of commercial and residential use. Key features of the land use include:
- main residential areas surrounding the proposed scheme include Inshes, Cradlehall, Smithton and Culloden;
  - Ashton Farm and Ashton Farm Cottages;
  - Inverness Retail and Business Park and Inshes Retail Park;
  - Business Parks at Beechwood and Cradlehall;
  - Inverness Campus; and
  - The Highland Main Line Railway Line and the Aberdeen to Inverness Railway Line.
- 1.4.3 The proposed scheme lies to the south of several designated sites. These are:
- Moray Firth Special Area of Conservation (SAC);
  - Inner Moray Firth Special Protection Area (SPA);
  - Moray Firth proposed Special Protection Area (pSPA);
  - Inner Moray Firth Wetland of International Importance (Ramsar); and
  - Longman and Castle Bays Site of Special Scientific Interest (SSSI).
- 1.4.4 The water environment surrounding the proposed scheme is characterised by the catchment areas of Scretan Burn (SWF04) and Cairnlaw Burn (SWF08). Surface water features within the study area are generally modified, and are located in a low lying, near-coastal environment, bordered by the Moray Firth SAC.
- 1.4.5 There are a number of paths in the local area, including core paths and public rights of way. The main paths in the study area include core path IN08.10, and local paths LP1, LP2, LP4, LP5 and LP7. There is one National Cycle Route (NCR1) which intersects the study area of the proposed scheme, west to east, along the B9006 Culloden Road and U1058 Caulfield Road North. LP5 is also utilised as a local cycle route, connecting the Inverness Campus and the Inverness Retail and Business Park, crossing the disused railway bridge.
- 1.4.6 The study area of the proposed scheme contains a number of known archaeological remains of a possible prehistoric date, in particular the Scheduled Monument 'Ashton Farm Cottages, ring ditch 415m SW and pit circles 460m WSW of'. There is further potential for the presence of unknown archaeological remains in the undeveloped areas.

- 1.4.7 The proposed scheme is located within an area where large-scale development (mixed use and residential) is planned as identified within the Inner Moray Firth Local Development Plan (The Highland Council 2015) and supplementary guidance (The Highland Council 2018). In the future the proposed scheme is anticipated to be located within a landscape which has undergone substantial change; the existing (mainly agricultural) land becoming urbanised as an eastern expansion of the City of Inverness. The proposed scheme is integral to this future development with relevant guidance stating that development of the area requires parallel improvements in trunk road and local road networks in the eastern part of the city, with the proposed scheme designed to provide better connectivity between the A96 and A9.
- 1.4.8 The location of the proposed scheme in relation to the local area and key environmental constraints is shown on Figure 1.2.

## **1.5 The Proposed Scheme**

- 1.5.1 The proposed scheme would commence to the west of the A9, with a new overbridge running parallel and to the south of the existing Inshes Overbridge (PS01), which would be provided to accommodate two lanes in each direction of travel. The proposed scheme would connect to The Highland Council's Inshes Junction Improvements – Phase 2 to the west of the new overbridge. A lane gain/lane drop arrangement on the A9 southbound carriageway between Raigmore and Inshes junctions would be included as part of the proposed scheme.
- 1.5.2 The single carriageway element of the proposed scheme would commence at the existing junction between the U1058 Caulfield Road North and the B9006 Culloden Road, where the road would be widened to two lanes in a southbound direction and one lane in a northbound direction. North of the proposed Cradlehall Roundabout a new single carriageway would be provided travelling in a north-east direction. At its eastern extent, the proposed scheme would connect to the proposed A96 Smithton Junction, which would form part of the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme at Stratton.
- 1.5.3 The proposed scheme would incorporate:
- a four-arm roundabout at Cradlehall that ties into the existing U1058 Caulfield Road North and provides access to Inverness Campus;
  - an overbridge crossing the Highland Main Line Railway;
  - a four-arm roundabout at Ashton Farm providing a connection to Inverness Retail and Business Park;
  - an overbridge to the south of the existing Inshes Overbridge (PS01); and
  - lane gain/lane drop arrangement on the A9 southbound.
- 1.5.4 The length of the entire proposed scheme including the lane gain/drop along the A9 southbound, proposed Inshes Overbridge (PS02) and all other links and tie-ins is approximately 3.2km.
- 1.5.5 Further details of the proposed scheme are provided in Chapter 4 (The Proposed Scheme) and shown on Figure 4.1.

## **1.6 Statutory Context for EIA**

- 1.6.1 The requirement for EIA stems from the European Commission Directive 85/337/EEC, as amended by Directive 97/11/EC, regarding the assessment of the environmental effects of certain public and private projects (hereafter referred to as the EIA Directive) and Directive 2003/35/EC regarding public participation. The EIA Directive was updated and a new EU Directive (2014/52/EU) was adopted on 15 May 2014, which was transposed into UK legislation on 16 May 2017. In Scotland there are a number of EIA regulations that implement the requirements of the EIA Directive, and those relevant in relation to the construction of trunk roads are The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017 (hereafter referred to as the EIA Regulations).

- 1.6.2 The EIA Directive categorises developments according to their requirement for an EIA; Annex I lists large-scale or potentially high impact developments for which an EIA is always required and Annex II lists developments that may or may not require an EIA depending on the characteristics and location of the development, and the significance of potential effects.
- 1.6.3 According to the EIA Regulations, the proposed scheme is considered to constitute a relevant project falling within Annex II of the EIA Directive, as it is a road infrastructure project where the completed works exceed 1ha in area.
- 1.6.4 The project has been subject to screening using the EIA Directive Annex III criteria to determine whether a formal EIA is required. Screening using these criteria has identified a need for an EIA as the works are likely to have a significant effect on the environment by virtue of factors such as:
- the works exceed 1ha in area;
  - there is the potential for impacts to the Inner Moray Firth Special Protection Area (SPA) and Longman and Castle Bays Site of Special Scientific Interest (SSSI) due to works in the vicinity of watercourses which are hydrologically linked to those designated areas; and
  - there is the potential for impacts on nationally important archaeological remains, namely the Scheduled Monument 'Ashton Farm Cottages, ring ditch 415m SW and pit circles 460m WSW of'.
- 1.6.5 Based on the above screening outcome, it is necessary to carry out an EIA and to publish an EIAR as stipulated under the EIA Regulations. The determination by Transport Scotland as the competent authority for the screening process is formally record by a Record of Determination, which is provided in Appendix A1.1 (Record of Determination (RoD)).
- 1.6.6 The purpose of an EIA is to investigate the likely effect of the proposed scheme on the biological, physical and historical environment, as well as on members of the public and on current or planned future use of the environment. As such, the EIA of the proposed scheme has formed an integral part of the engineering design and appraisal process and has provided a valuable opportunity to reduce potential environmental effects through design refinement.

## **1.7 Environmental Impact Assessment Report (EIAR)**

- 1.7.1 This EIAR reports the findings of the EIA process undertaken for the proposed scheme, and as defined in Schedule 1A of the EIA Regulations it includes:
- a description of the proposed scheme, including its location, details of its physical characteristics, land use requirements, and an estimate by type and quantity of any residues and emissions arising;
  - an outline of the main alternatives and the main reasons for the choice of the proposed scheme, taking into account the environmental effects;
  - a description of the aspects of the environment likely to be significantly affected by the proposed scheme;
  - a description of the likely significant impacts of the proposed scheme on the environment, including direct impacts and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, beneficial and adverse effects;
  - a description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment;
  - an indication of any difficulties encountered in compiling the required information; and
  - a non-technical summary of the above information.
- 1.7.2 Table 1.1 sets out the structure of the EIAR along with a summary of what is included in each chapter. As far as is practicable, the chapters are written in a non-technical style to make it accessible to a wide, non-specialist audience. Where technical terminology is used, an explanation is provided in the text, and/or in the glossary which is provided at the front of Volume 1 (Main Report) of the EIAR.

Table 1.1: Structure of the EIAR

EIAR Component	Description
<b>Non-Technical Summary (NTS)</b>	
At front of the EIAR	Summary of the EIAR in non-technical language. This is also available as a separate document.
<b>Volume 1: Main Report</b>	
Chapters 1 to 4	Provides project background and details of the proposed scheme assessed in the EIA, including the need for the proposed scheme and the alternatives considered.
Chapter 5	Provides an overview of the EIA assessment process, setting out the environmental parameters considered, and explaining how the assessment of environmental effects was undertaken.
Chapter 6	Summarises the EIA consultation and scoping process and provides a summary of the key issues raised and how these have been taken into account.
Chapters 7 to 17	Reporting of the EIA for each specialist environmental parameter, including an introduction to the subject area, approach and methods, baseline (i.e. existing) conditions, assessment of impacts, mitigation and residual effects.
Chapter 18	Summarises the assessment of relevant plans and policies and considers compliance with national, regional and local planning policy.
Chapter 19	Considers the overall (cumulative) impact of the proposed scheme and the potential cumulative effect with other developments in the area, where not covered within the preceding chapters.
Chapter 20 to 21	Provides tabulated summaries of the mitigation proposed and the key residual effects remaining after implementation of mitigation.
<b>Volume 2: Appendices – Specialist Technical Reports</b>	
Appendices	Technical reference information supporting the EIAR chapters, such as calculations and detailed background data. Appendix number corresponds to the relevant EIAR chapter (e.g. Appendix A7.1 relates to Chapter 7).
<b>Volume 3: Figures</b>	
Figures	Graphics supporting the EIAR chapters, illustrating the proposed scheme and environmental information. Figure reference corresponds to the relevant EIAR chapter (e.g. Figure 7.1 relates to Chapter 7).

- 1.7.3 This EIAR presents the assessment of the proposed scheme as described in Chapter 4 (The Proposed Scheme). Where the design of the proposed scheme may be subject to further refinement, it would still be deemed to comply with this EIAR provided that such refinements are subject to environmental review to ensure that the residual effects would be no worse than those reported in this EIAR.
- 1.7.4 Some detailed aspects of the proposed scheme design, such as construction methods and traffic management, would depend on the approved construction proposals of the appointed contractor(s), details of which would not be available until the detailed design and build stage. Assumptions have been made where required to inform the assessment, as described in Chapter 4 (The Proposed Scheme) and in individual chapters of the EIAR where relevant.
- 1.7.5 An independent audit of the assessments has been undertaken to produce a robust EIA that complies with the requirements of the EIA Regulations. Furthermore, consultation has taken place with regard to the scope, approach and results of the assessment, as described in further detail in Chapter 6 (Consultation and Scoping).

## 1.8 The Assessment Team

- 1.8.1 The EIA was undertaken, managed and compiled by Jacobs, an Institute of Environmental Management and Assessment (IEMA) Registered EIA Quality Mark Company. Additional specialist environmental input was also provided to some technical components where appropriate, as identified within the relevant EIAR chapters. Relevant expertise and qualifications of the assessment team are provided in Appendix A1.2 (Statement of Competency).

## 1.9 Review and Comments

Copies of this EIAR are available for inspection at:

**Transport Scotland**

Major Projects  
Buchanan House  
58 Port Dundas Street  
Glasgow G4 0HF

Tel: 0141 272 7100

**The Highland Council**

Glenurquhart Road  
Inverness  
IVV3 5NX

Tel: 0134 988 6606

**Culloden Library**

Keppoch Road  
Culloden  
Inverness  
IV2 7LL

Tel: 0146 379 2531

**Inshes Library**

Inshes Road  
Inverness  
IV2 3RF

Tel: 0146 372 5928

**Inverness Library**

Farraline Park  
Inverness  
IV1 1NH

Tel: 0146 323 6463

- 1.9.1 The EIAR can be viewed on the Transport Scotland website, available at:  
<https://www.transport.gov.scot/projects/a9a96-inshes-to-smithton/>
- 1.9.2 A bound paper copy of the EIAR may be purchased at a cost of £150, and the EIAR is also available in DVD format at a cost of £10 by writing to Transport Scotland at the address shown above, or by email to [a9a96-inshes-smithton@transport.gov.scot](mailto:a9a96-inshes-smithton@transport.gov.scot).
- 1.9.3 Any person wishing to make representation on the EIAR should write to Transport Scotland at the above address. Formal representations are invited until 25 October 2019.

## 1.10 References

### Reports and Documents

The Highland Council (2015). Inner Moray Firth Local Development Plan (IMFLDP)

The Highland Council (2018). Inverness East Development Brief.

Jacobs (2011) (*on behalf of Transport Scotland*) A96 Inshes to Nairn DMRB Stage 2 Study, Route Options Assessment Report.

Jacobs (2016) (*on behalf of Transport Scotland*). A9/A96 Connections Study.

Jacobs (2017) (*on behalf of Transport Scotland*). A9/A96 Inshes to Smithton DMRB Stage 2 assessment. October 2017.

Jacobs, Faber Maunsell, Grant Thornton and Tribal Consulting (*on behalf of Transport Scotland*) (2008a). Strategic Transport Projects Review.

Jacobs, Faber Maunsell, Grant Thornton and Tribal Consulting (*on behalf of Transport Scotland*) (2008b). Strategic Transport Projects Review: Environmental Report.

Jacobs, Faber Maunsell, Grant Thornton and Tribal Consulting (*on behalf of Transport Scotland*) (2009a). Strategic Transport Projects Review: Final Report.

Jacobs, Faber Maunsell, Grant Thornton and Tribal Consulting (*on behalf of Transport Scotland*) (2009b). Strategic Transport Projects Review: Post Adoption Statement.

### EU Directives and National Legislation

European Commission (2014). Directive 2014/52/EU regarding the assessment of the environmental effects of certain public and private projects.

The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017.