



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

transport.gov.scot

Record of Determination

A86 Cluny Farm

Contents

Project Details

Description

The proposed works involve carriageway resurfacing and reinstatement of road markings.

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 go off
- Mark out lining schedule on site
- Remove TM and open road
- Lining/studding will be carried out at a later date under mobile TM or lane closures

The works are proposed to be carried out in summer 2021 between the hours of 8pm and 6am and will take two nights to complete.

Traffic management for the scheme will involve overnight road closures with amnesties in place.

Location

The scheme lies on the A86 trunk road in the Highland Council region, between Newtonmore and Laggan. The length of the scheme is 145m (approximately 0.07 ha).

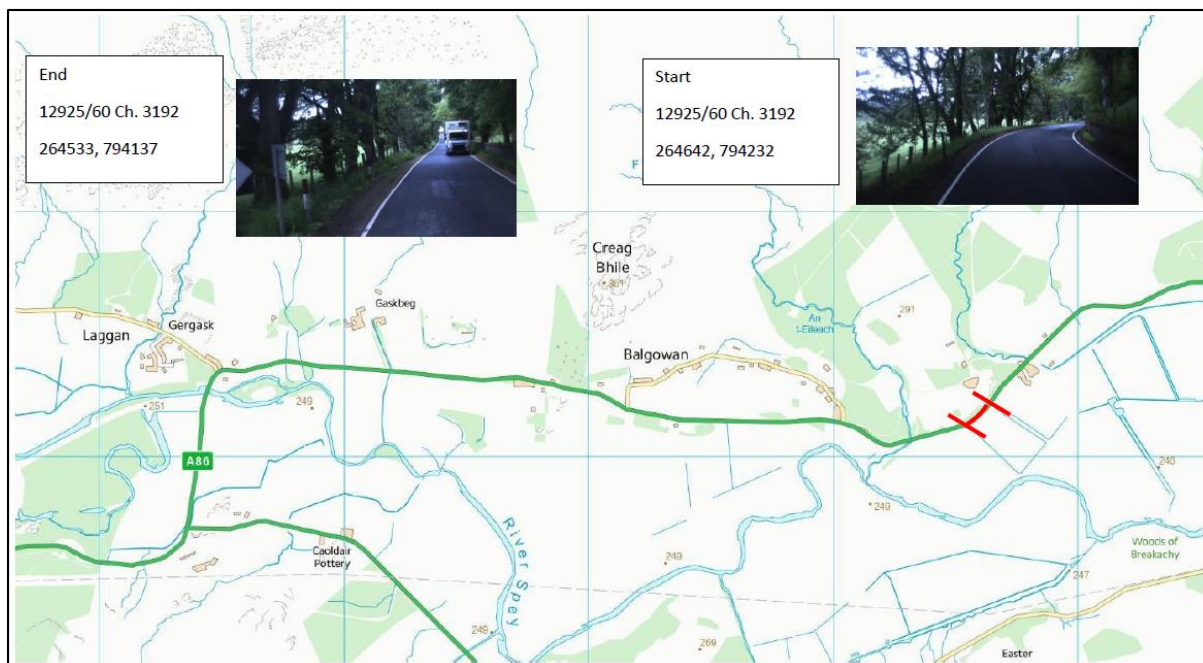


Figure 1. Location Plan

Description of Local Environment

Population and Human Health

The scheme lies in a remote area on the A86 trunk road between Newtonmore and Laggan. There are a few scattered residential properties within 300m of the proposed works. The closest of these is Cluny Castle which is 90m to the north.

There are no formal [cycleways](#) that utilise the trunk road within the scheme extents. There is a [core path](#) which joins the trunk road approximately 200m north of the scheme extents. There are no walking routes recorded on [WalkHighlands](#) within the scheme extent.

Noise and vibration levels in the surrounding area are likely to be primarily influenced by vehicle travellers on the A86 trunk road. There are no designated [Candidate Noise Management Areas](#) (CNMAs) or Candidate Quiet Areas (CQAs) within proximity to the works location.

The A86 trunk road links the A9 at Kingussie with the A82 at Spean Bridge. It is important for commercial, commuter, tourist and local traffic. The national speed limit applies throughout the scheme.

Biodiversity

Baseline data has been obtained from the [National Biodiversity Network](#) (NBN) Atlas, NatureScot (NS) [Sitelink](#), and [Scotland's Environment web](#) (SE) online mapping tools. A site visit was not undertaken.

The trunk road is approximately 300m north of the River Spey Special Area of Conservation (SAC).

The River Spey Site of Special Scientific Interest (SSSI) occupies the same area, and is notified for the same features, as the River Spey SAC.

The scheme does not lie wholly or partially within any other SPA, SAC, Ramsar site, or SSSI.

The NBN Atlas does not hold records of invasive non-native species (INNS) or injurious weeds using the same search criteria.

There is a large area of woodland listed as Ancient (of semi-natural origin) on the Ancient Woodland Inventory (AWI) to the north of the trunk road throughout the scheme extent.

The area surrounding the scheme is dominated by agriculturally improved grassland to the south and exotic woodland associated with the nearby castle to the north. The River Spey lies approximately 300m south of the trunk road within the scheme and there are a few channelized ditches running from the trunk road down into the River Spey.

Land

The scheme lies wholly within the Cairngorms National Park.

The works do not lie within any area of land designated as a National Scenic Area (NSA). Land cover in the vicinity of the scheme is recorded as a mixture of woodland and grassland with the River Spey to the south.

Soil

The scheme does not lie within a Geological Conservation Review Site (GCRS).

Bedrock within the scheme extent is Glen Banchor Subgroup - Gneissose Psammite And Gneissose Semipelite, which is a metamorphic bedrock.

Superficial deposits within the scheme extent are recorded as Alluvium - Clay, Silt, Sand And Gravel to the south and Glaciofluvial Ice Contact Deposits - Gravel, Sand And Silt to the north.

Soils within the scheme extent are recorded as mix of humus-iron podzols and mineral alluvial soils.

Water

The River Spey (Spey Dam to Loch Insh) runs to the south of the A86 trunk road and lies approximately 300m south of the trunk road within the scheme extents. It was recorded by SEPA as having 'good ecological potential' in 2018.

There are a few field ditches which run from the trunk road down to the River Spey. These field ditches are not classified by SEPA.

The scheme is located within the Strathnairn, Speyside and Cairngorms and the Upper Spey Sand and Gravel groundwater bodies which were both classified by SEPA in 2018 as having good overall condition.

Air

The works are not wholly, or partially, located within an [Air Quality Management Area](#) (AQMA).

No air quality monitoring stations are located within proximity to the scheme. It is considered that pollution levels in the general vicinity of the scheme will be due to the remote nature of the scheme location. Baseline air quality in the area of the scheme is likely to be primarily influenced by traffic along the A86 trunk road.

Climate Change

The Climate Change (Scotland) Act 2009 creates mandatory climate change targets to reduce Scotland's GHG emissions. BEAR Scotland have a Carbon Management Policy in place with the core aim of reducing our carbon footprint which is measured and reported annually.

Material Assets

The following materials will be used during the works:

- Asphaltic material
- Road-marking paint
- Bituminous emulsion bond coat
- Milled in road studs

The following plant will be used during the works:

- Paver
- Planer
- 2CX JCB
- Roller 120 and 161
- Circular saw
- Bitumen cooker
- Roller dead weight
- Bowser
- Road sweeper
- Emulsion sprayer
- Mobile welfare unit/van
- Pickup
- Chapter 8 vans
- Company car
- Tipper lorries

Waste

Asphalt planings produced as a result of these works will be fully recovered for re-use under a SEPA paragraph 13 waste exemption. Considering the expected treatment inlay for this scheme the chance of encountering coal tar is extremely unlikely and coal tar is not expected to be present within the milled off road planings.

Cultural Heritage

According to [Pastmap](#), there are a few Listed Buildings to the north and east of the scheme within 300m. The closest of these is Cluny Castle which lies 90m north of the A86 trunk road. There are a few records of local interest recorded on the Canmore and Historic Environment Record (HER) Databases.

Vulnerability of the Project to Risks

The following environmental factors were identified as potential risks to the project:

- Unidentified ecological constraints
- Disturbance of protected species

Description of Main Environmental Impacts and Proposed Mitigation

Population and Human Health

During road resurfacing, activities undertaken on site may have temporary adverse impacts on road users as a result of vehicle noise and delays due to traffic management measures. However, considering that there are no residential properties within 300m of works and with the following mitigation measures in place, the risk of significant impacts on population and human health is considered to be low.

- Traffic management will consist of overnight road closures with amnesties in place.
- Works will be carried out at night over a period of two nights to reduce impacts on road users due to the road closure.
- Measures to reduce impacts of works will be detailed in the Site Environmental Management Plan (SEMP) and adhered to on site.

Biodiversity

The scheme lies 300m north of the River Spey SAC and SSSI. A Statement to Inform Appropriate Assessment (SIAA) was produced in 2019 which covers maintenance activities to the trunk road network, including road resurfacing. This SIAA includes The River Spey SAC within the NatureScot South Highland Region. This SIAA concluded that there would be no likely significant effect (LSE) as a result of maintenance activities on the qualifying features on the River Spey SAC.

The works lie alongside the River Spey SSSI which is notified for the same features as the SSSI. Based on the SIAA and with pollution controls and good practice measures there will be no impacts on the SSSI.

The woodland to the north of the trunk road is recorded on the AWI. The works will comprise like-for-like resurfacing of the trunk road, all works will take place within the carriageway boundary. There will be no tree felling associated with the works and therefore there will be no impacts on the AWI woodland.

During road resurfacing, activities undertaken on site could potentially have a temporary adverse impact on biodiversity in the area as a result of an increased vehicle presence and the potential for disturbance to protected species and pollution of habitats.

Pollution controls and good practice measures to reduce impacts of works will be detailed in the SEMP and adhered to on site. Any protected species in the area are likely to be accustomed to road noise on the A86 and the scheme is of short duration.

Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity is considered to be low.

- Toolbox talks for relevant protected species will be delivered to site staff and included in the SEMP.

- No tree felling will take place.
- Pollution controls and good practice measures to reduce impacts of works will be detailed in the SEMP and adhered to on site.

Land

During road resurfacing, activities undertaken on site are not expected to have an adverse impact on land or landscape as the works involve like-for-like replacement of the road surfacing material. The works lie within the Cairngorms National Park who were advised of the proposed works and did not make any comments. There is some potential for minor impacts as a result of damage to roadside verges or littering. Land use will not change as a result of the works and no land take is required. Therefore, with the following mitigation measures in place, the risk of significant impacts to land, landscape or the Cairngorms National Park are considered to be low.

- Throughout all stages of the works, the site must be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- Where applicable, upon completion of the works, any damage to the local landscape (i.e. damage to grass verges or hardstanding of the A86) should be reinstated as much as is practicable.
- Works are to avoid encroaching on land and areas where work is not required or does not have permission to do so. This includes general works, storage of equipment/containers and parking.

Soil

During road resurfacing, activities undertaken on site are not expected to have an adverse impact on soils as the works will be restricted to made ground within the A86 carriageway boundary. There is some potential for minor, localised impacts on soils as a result of damage to roadside verges or littering; however, with the following mitigation measures in place, the risk of significant impacts to soils is considered to be low.

- There will be no excavation works out with made ground within the A86 trunk road boundary.
- The parking of machinery/personnel and storage of equipment on verges will be minimised as far as is reasonably practicable.
- Upon completion of the works, any damage to the local landscape (i.e. damage to grass verges) should be reinstated as much as is practicable.

Water

During works, there is the potential for temporary impacts on water quality. Any construction work has an inherent risk to surface waters and groundwater as a result of pollution. Potential contaminants include fuel and oils from mechanical plant and dirty water run-off from the construction site. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to water is considered to be low.

- The scheme will not entail any in-stream works.
- Pollution control measures will be detailed in the SEMP and adhered to on site to prevent sediment or other materials entering the water environment (e.g. roadside drainage).

Air

During works, there is the potential for temporary impacts on air quality. Activities undertaken on site may cause dust and particulate matter 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 is considered to be low.

- All plant, machinery and vehicles associated with the scheme must be maintained to the appropriate standards and must switch their engines off when not in use.
- All delivery vehicles carrying material with dust potential will be covered when travelling to or leaving site, preventing the spread of dust beyond the work area.
- All construction activities will operate in line with good practice measures for construction as outlined in the SEMP.

Climate Change

During works there is potential for impacts as a result of the emission of greenhouse gasses through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. However, taking into account the nature and scale of the works and the following mitigation measures, the risk of significant impacts to climate is considered to be low.

- BEAR Scotland will adhere to their Carbon Management Policy.
- BEAR Scotland undergo annual CEEQUAL Assessment.

Material Assets

The works comprise like-for-like replacement of the existing road surfacing material and will not involve construction of or alteration to any roadside infrastructure. Therefore, material assets are not considered further.

Waste

During works, there is potential for impacts as a result of improper storage or disposal of waste. However, taking into account the following mitigation measures, it is unlikely that the works will have a significant impact as a result of waste.

- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.

- Road planings will be re-used or recycled under a SEPA Paragraph 13(a) waste exemption and in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings.

Cultural Heritage

During road resurfacing, activities undertaken on site are not expected to have an adverse impact on cultural heritage as there are no recorded features of cultural heritage within the works footprint, the closest is 90m north of the trunk road. However, the following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest.

- People, plant, and materials should, as much as is reasonably practicable, only be present on areas of made / engineered ground (i.e. A86 carriageway). Where access out with these areas is required for the safe and effective completion of the scheme, it should be reduced as much as is reasonably practicable and ideally be limited to access on foot.

Vulnerability of the Project to Risks

There is potential for minor impacts on the project as a result of environmental risks such as discovery of a protected species on site. However, taking into account the nature and scale of the works and the following mitigation measures, the vulnerability of the project to risk is considered to be low.

- A Site Environmental Management Plan (SEMP) has been produced by BEAR Scotland which sets out a framework to reduce the risk of adverse impacts from construction activities on sensitive environmental receptors. The subcontractor will comply with all conditions of the SEMP during works and may be subject to audit throughout the contract.

Cumulative Effects

The works are required to maintain the safety of the A86 trunk road for use by vehicle travellers. No significant impacts on environmental receptors as a result of the proposed works have been identified.

The proposed works will be limited to the like-for-like replacement of the road surfacing material and potential impacts are short-term and localised to within the scheme extent. There is potential for short-term impacts on vehicle travellers as a result of delays due to traffic management for multiple or consecutive schemes. However, due to the localised nature of the potential impacts and the short duration of any proposed works and with the following mitigation measures in place, it is unlikely that the works will have a significant cumulative impact.

- Network restrictions as set out in Appendix 1/17 Restrictions – North West Unit of the 4G North West Term Contract will be adhered to.

Assessments of the Environmental Effects

This assessment has not identified any significant effects on any environmental receptors as a result of the proposed works. No further assessment of environmental effects or consultation with statutory bodies is required.

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)—

do not exceed 1 hectare in area,

are 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:

Characteristics of the scheme:

- The works comprise like-for-like replacement of the road surfacing material.
- The works are temporary, localised and short-term and will be completed over two nights.
- Pollution controls will be in place to contain debris and wastes produced during works.

Location of the scheme:

- The works lie within a 'sensitive area' however the SIAA has confirmed that there will be no LSE on the qualifying features of the River Spey SAC as a result of resurfacing works.
- The works lie within the Cairngorms National Park however the works will comprise like-for-like resurfacing and will not result in any adverse visual impacts.
- Resurfacing works will be restricted to made ground within the A86 carriageway boundary and no land take will be required.
- The scheme is situated in rural location with few residential properties.

Characteristics of potential impacts of the scheme:

- The potential for impacts as a result of the scheme are minor, temporary and not significant.
- The works lie alongside the River Spey SAC however the SIAA has confirmed that there will be no LSE on the qualifying features of the River Spey SAC as a result of resurfacing works.
- The works lie alongside the River Spey SSSI which is notified for the same features as the SAC. Based on the conclusions of the SIAA there will be no impacts on the SSSI.
- The works lie within the Cairngorms National Park however the works will comprise like-for-like resurfacing and will not result in any adverse visual impacts.
- The works lie alongside a woodland recorded on the AWI however there will be no tree felling associated with the works and therefore there will be no impacts on the AWI woodland.
- Measures will be in place to ensure appropriate removal and disposal of waste. Road planings will be re-used or recycled under a SEPA Paragraph 13(a) waste exemption and in line with BEAR Scotland's Procedure 126: The Production of Fully Recovered Asphalt Road Planings.
- The SEMP will include plans to address environmental incidents.
- Mitigation measures detailed above and in the SEMP will ensure no significant negative impacts on sensitive environmental receptors.

Annex A

“sensitive area” means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

© Crown copyright 2021

You may re-use this information (excluding logos and images) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence> or e-mail: psi@nationalarchives.gsi.gov.uk

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Further copies of this document are available, on request, in audio and visual formats and in community languages. Any enquiries regarding this document / publication should be sent to us at info@transport.gov.scot

This document is also available on the Transport Scotland website: www.transport.gov.scot

Published by Transport Scotland, September 2021

Follow us:



transport.gov.scot



Scottish Government
Riaghaltas na h-Alba
gov.scot