



TRANSPORT
SCOTLAND
CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A86 Kerrow

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Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to carry out ditch improvement works along the A86 carriageway within the Highland Council region.

The works will involve ditching clearance (vegetation removal and excavation within existing channels) to a 3rd party drainage ditch to clear the outlet of trunk road drainage and allow proper functioning of surface water drainage system. These works will necessitate the felling of 183 young trees, with chippings to be spread on site and logs to be placed as habitat piles or retained by landowner.

The works are in preparation for development of a private housing development, which has been afforded permission to tie into existing trunk road surface water drainage system. Although the trunk road system is currently able to function adequately it is expected that the additional volume of surface water from the housing development may result in localised flooding of the trunk road (and possibly the development) without remediation works.

The total length of the scheme is 300m with an approximate area of 0.075ha.

The works are currently programmed to be completed within the 2024/2025 financial year, commencing in August 2024. Works are programmed to be completed over 1 week, by utilising daytime working pattern (07:00 – 19:00). Traffic Management (TM) is only required to set down/uplift plant from the A86 verge, which is anticipated to consist of Stop/Go boards. Site compound will be positioned on the large verge between the ditch and the A86 trunk road. If the programme changes, this may result in amendments to the exact TM requirements.

Location

The scheme is located on the outskirts of Kingussie along the western verge of A86 carriageway within the Highland Council (Figure 1). The scheme has the following National Grid References (NGR):

- Western end of the scheme: NN 75527 69598
- Southern end of the scheme: NH 76903 00998

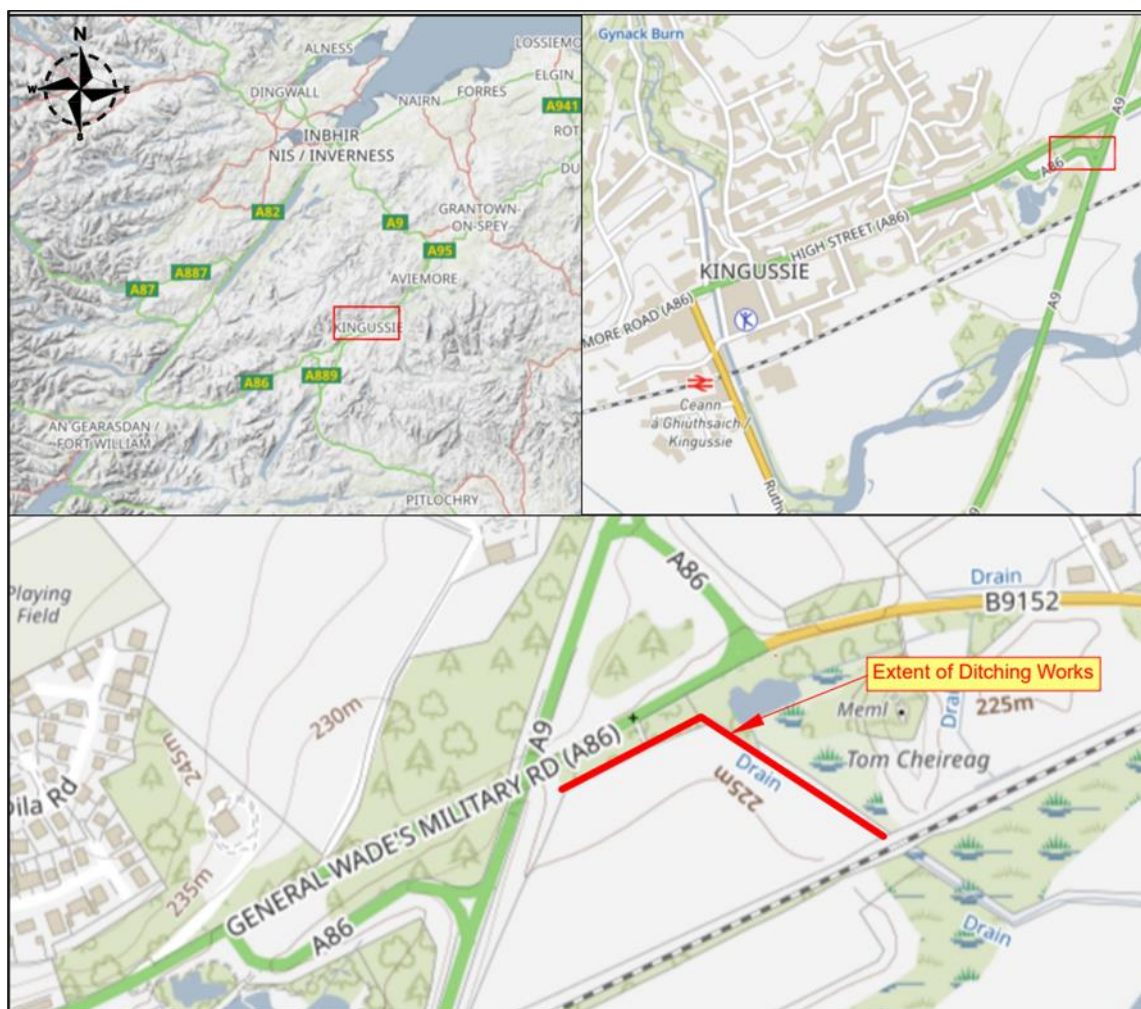


Figure 1. Location of the scheme extent.

Description of local environment

Air quality

The scheme does not fall within an Air Quality Management Area (AQMA) ([Air Quality Scotland](#)).

The nearest Air Quality Monitoring Station (AQMS) '[Inverness Academy Street 1st Floor](#)', which lies 45km north of the scheme, monitors levels of nitrogen dioxide and at time of the search, these were within low levels (Low 1) ([Air Quality in Scotland](#)).

No Scottish Pollutant Release Inventory (SPRI) sites (which record air pollutant releases), are located within 10km of the scheme ([Scotland's Environment](#)).

The nearest manual traffic count point on the A86 carriageway lies approximately 1.4km west of the works. The average annual daily flow (AADF) data for A86 traffic in 2023 was recorded as being 2,680 vehicles, including 77 (2.9%) heavy goods vehicles (HGVs) ([Road Traffic Statistics](#)).

Baseline air quality is likely to be primarily influenced by traffic along the A86 and A9, which spans A86 just 20m west of the scheme. Secondary sources are likely to be derived from agricultural activities associated with nearby pastoral land. The Highland Main Line route lies just 5m south of the scheme and therefore railway movements will likely also have an impact on local air quality.

Cultural heritage

A desktop study using Historic Environment Scotland's [PastMap](#) has identified no designated Cultural Heritage features within 300m of the scheme extents.

One Historic Environment Record (HER), 'General Wade's Military Road, Alvie', lies 160m north of the scheme.

No Listed Buildings, Garden & Designed Landscapes, Scheduled Monuments, Conservation Areas, Battlefields, World Heritage sites or records on Canmore database were identified within 300m of the scheme ([PastMap](#)).

Landscape and visual effects

The scheme extent lies within [Cairngorms National Park](#) (CNP). The Special General Qualities of CNP are the following:

- 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 is not situated within a [National Scenic Area](#) (NSA).

The scheme lies on the periphery of the town of Kingussie, with land cover surrounding the scheme dominated by fields of pastoral land and shrubland.

The Landscape Character Type (LCT) within the scheme extent is categorized as 'Upland Strath' (no. 127) ([Scottish Landscape Character Types](#)), which is characterised by:

- Large, broad, flat bottomed strath, with some narrower pinch-point sections.
- Valley floor with the meandering River Spey and frequent lochs and marshes.
- Meadows and wetlands prone to flooding on the valley floor.

- Mixed pastures and broadleaved woodland in more undulating areas. Wetlands flanked by mixed woodland and conifer forests.
- Main communication corridor housing A9 trunk road and railway.
- Estate houses and policy landscapes in many parts of the strath.
- A well-settled area with a series of settlements occurs along the northern side of the strath at bridging points over the River Spey. They are popular tourist destinations serving the Cairngorms National Park. Elsewhere farms and houses are frequent along main and minor roads.
- Views to the Cairngorm mountains.
- Noise and activity from busy A9.

Biodiversity

The scheme lies within 2km of the River Spey Special Area of Conservation (SAC), Inch Marches SAC, River Spey – Insh Marshes Special Protection Area (SPA) and River Spey – Insh Marshes Ramsar ([SiteLink](#)). All of these sites overlap each other and lie 15m south of the scheme extents. In addition, the drainage ditch located within the scheme extents discharges into the SACs, SPA and Ramsar 15m downstream of the works.

River Spey - Insh Marshes Site of Special Scientific Interest (SSSI) ([SiteLink](#)) overlaps noted European sites and lies 15m south of the scheme.

Insh Marshes National Nature Reserve lies 220m southwest of the scheme ([SiteLink](#)).

Numerous bird species are recorded on NBN within 2km over a 10-year period. Under the Wildlife and Countryside Act 1981 (as amended) (WCA), all wild birds and their nests are protected.

The [NBN Atlas](#) holds the following records of injurious weed species as listed under the Weeds Act 1959, invasive native perennials, as listed in the Trunk Road Inventory Manual under the same search criteria:

- Common ragwort (*Jacobaea vulgaris*)
- Creeping Thistle (*Cirsium arvense*)
- Spear Thistle (*Cirsium vulgare*)
- Rosebay Willowherb (*Chamerion angustifolium*)

There are no records of invasive non-native plant species (INNS) as listed on WCA identified under the same search criteria.

A search using Transport Scotland's Asset Management Performance System (AMPS) did not identify records of INNS, injurious weeds, or native invasive perennials within the verges of A86 at the scheme extents.

Habitat in the surrounding area is dominated by shrubland and rough grassland. Freshwater habitat is provided by River Spey, which lies 240m downstream of the scheme extents or 185m south when measured in a direct line. Freshwater habitat is also provided by a number of field drains and ponds which lie within 300m of the scheme.

An area of woodland noted as 'ancient' (of semi-natural origin) is listed on the [Ancient Woodland Inventory](#) Scotland, 240m north of the scheme.

An area of trees 'Craig an Darach' covered by a Tree Preservation Order (TPO) lies 230m west of the scheme ([Highland Council](#)).

Site surveys

A Preliminary Roost Assessment (PRA) and Preliminary Ecological Appraisal (PEA) of the A86 Kerrow ditch and trees proposed for felling was undertaken by BEAR Scotland NW Environmental Team in June 2024. The survey results are briefed below:

- The PRA concluded that the trees proposed for felling are young self-seeded trees with no suitable features for bats present.
- No active or disused bird nests were noted; however, vegetation within the scheme extents offers habitat for nesting birds.
- No signs of other protected species were noted.
- No INNS were noted within the scheme extents.

The undertaken PRA and PEA carry a validity period of 18 – 24 months, dependent on professional judgment.

Geology and soils

The scheme does not lie within a Geological Conservation Review Site (GCRS), or within a geologically designated SSSI ([NatureScot](#)).

Superficial deposit within the scheme extents is comprised of Alluvium (clay, silt, sand and gravel), which is a sedimentary superficial deposit ([BGS Geology Viewer](#)).

Bedrock within the scheme extent is comprised of Loch Laggan Psammite formation (psammite, micaceous), which is a metamorphic bedrock ([BGS Geology Viewer](#)).

The local soil type is recorded as mineral podzols ([Scotland's Environment Map](#)).

Soils within the scheme extent are recorded as being 'Class 0', as displayed on [Scotland's Peat Map](#). Class 0 is considered to be mineral soil, and peatland habitats are not typically found on such soils.

Material assets and waste

The works will include ditch clearance/improvement works with requirement for vegetation clearance. There is no requirement for delivered materials. The works will require the following plant:

- 3.5 tonne or 7.5 tonne tipper
- Excavator
- Woodchipper
- Chainsaw

Wastes are anticipated to be ditching material and felled trees. Felled trees will be chipped on site with logs placed as wildlife habitats or retained by the landowner for private use. Ditching works will be side cast along the ditch verges under [SEPA Paragraph 25 exemption](#) (Reference: WML/XS/2009416).

The value of the scheme does not exceed £350,000 therefore, a Site Waste Management Plan (SWMP) is not required.

Noise and vibration

For sensitive 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 the Transportation Noise Action Plan (Road Maps) ([TNAP](#)).

There is no modelled noise level data for the A9 or the A86 within proximity of the scheme extents ([Scotland's Noise Scotland's Environment](#)).

Baseline noise levels at the scheme extents are likely to be primarily influenced by traffic along the A86 and A9, which spans A86 just 20m west of the scheme. Secondary sources are derived from agricultural activities associated with nearby pastoral land. The Highland Main Line route lies just 5m south of the scheme and therefore railway traffic will also have an impact on local noise levels.

Population and human health

Six residential properties lie within 300m of the scheme. The nearest of these, 'Kerrow Cottage' lies 175m north of the scheme and is screened by intervening tree

belts. An access road to the adjoining field lies within the scheme extents. No other access routes are located within the scheme extents.

There are no National Cycle Network Routes ([OS Maps](#)), core paths ([SE Map](#)) or walking routes as listed on [WalkHighlands](#) within 300m of the scheme.

There are no pedestrian footpaths along the A86 within the scheme extents.

TM is only required to set down/uplift plant from the A86 verge. It is anticipated to consist of Stop/Go boards.

The A86 Trunk Road connects Spean Bridge and Kingussie. It commences at the A86 / A82 junction within Spean Bridge leading generally north-eastwards for a distance of 65 kilometres to its junction with the A9. The A86 is a single carriageway along its length.

Road drainage and the water environment

The drainage ditch at the scheme extents is a minor watercourse not shown on the 1:50,000 scale Ordnance Survey maps ([Streetmap](#)). The drainage ditch discharges into the River Spey (ID: 23142) 240m downstream of the scheme. The River Spey is a classified waterbody by the Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) ([SEPA Water Classification Hub](#)) and was last classified by the SEPA in 2022 as having 'moderate overall condition'.

A number of drains and ponds lie within 300m of the scheme. None of these are classified by SEPA waterbodies.

The scheme is underlain by the 'Strathnairn, Speyside and Cairngorms' and 'Upper Spey Sand and Gravel' groundwater bodies, which were classified by SEPA in 2022 as having an overall status of 'good' ([SEPA Water Classification Hub](#)). These groundwater bodies are also recorded as Drinking Water Protected Area (DWPA) (Ground) ([Scotland's Environment](#)).

A search of SEPA Flood Map identifies that the drainage ditch within the scheme extents is a subject to high levels of surface and fluvial water flooding (each year the drainage ditch has up to 10% chance of flooding) ([SEPA Flood Maps](#)).

Climate

The Climate Change (Scotland) Act 2009 sets out the target and vision set by the Scottish Government for tackling and responding to climate change ([The Climate Change \(Scotland\) Act 2009](#)). The Act included a target of reducing CO₂ emissions by 80% before 2050 (from the baseline year 1990). The Climate Change (Emissions

Reduction Targets) (Scotland) Act 2019 amended the Climate Change (Scotland) Act 2009 to bring the target of reaching net-zero emissions in Scotland forward to 2045 ([Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#)).

The Scottish Government has since published its indicative Nationally Determined Contribution (iNDC) to set out how it will reach net-zero emissions by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030 ([Scotland's contribution to the Paris Agreement: indicative Nationally Determined Contribution - gov.scot \(www.gov.scot\)](#)). By 2040, the Scottish Government is committed to reducing emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

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](#)). 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 a legally binding target of net-zero by 2045.

Policies and plans

This Record of Determination (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. 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 are considered to be low.

- When not in use, plant and vehicles will be switched off; there will be no idling vehicles.
- All plant, machinery and vehicles associated with the works will be maintained in order to minimise emissions, as per manufacturing and legal requirements. No significant dust, particulate matter, and exhaust emissions sources will be introduced by the works.
- Green driving techniques will be adopted, and effective route preparation and planning to be undertaken prior to works.
- Cutting, grinding, and sawing equipment will be fitted or used in conjunction with suitable dust suppression techniques e.g., local exhaust ventilation system that fits directly onto tools.
- 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.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- A designated laydown area will be established. Materials stored in the laydown area will only be moved when they are required.
- Regular monitoring (e.g., by engineer or Clerk of Works) will take place when DPMEE generating activities are occurring. In the unlikely event that unacceptable DPMEE 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.

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.

Cultural Heritage

Although there is one record of cultural heritage interest within 300m, no connectivity between this and the scheme exists. Construction of the nearby A9 and A86 are likely to have removed any archaeological remains that may have been present within those road corridors. Due to requirement for excavation out with these road corridors, there is potential for features to be exposed. However, due to location within historic drainage channels, the chance of exposure is significantly reduced.

As standard, the following good practice measures will be in place to reduce the risk of impacts to undiscovered features of cultural heritage interest:

- There will be no storage of vehicles, plant, or materials against any buildings, walls or fences.
- Should any unexpected archaeological evidence be discovered, works will stop temporarily in the vicinity and the BEAR Scotland Environment Team contacted for advice.
- Historic Environment Scotland will be consulted with as required, in the event of any discovery/exposure of suspected archaeological features.
- People, plant, and materials will, as much as is reasonably practicable, only be present on areas of made / engineered ground. Access required out with these areas will be reduced as much as is reasonably practicable, and will utilise as few access points/tracks as possible.

With the above mitigation measures in place, it is anticipated that any cultural heritage 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 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. In addition, there will be a minor impact as a result of the removal of trees and ditching works. However, the proposed works are of a highly localised scale and will be limited to the minimum areas and amounts required to ensure adequate drainage for the surrounding land and A86 users. There will also be no changes to the land use as a result of the works. Upon completion of the works, no significant residual impacts are anticipated e.g., when complete the visual appearance will remain largely unaffected, with removed self-seeded trees and cleared ditch being the only discernible change. CNP will be notified of the proposed works and advised on traffic arrangements.

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

- 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.
- Removal of trees will be limited to the minimum amount required to undertake the ditching works.
- Works will avoid encroaching on land and areas where work is not required or is 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 in proximity to various areas designated for biodiversity features, including River Spey SAC, Insh Marshes SAC, and River Spey – Insh Marshes SPA and Ramsar. BEAR Scotland produced a Habitats Regulations Appraisal (HRA) Proforma in 2023 to assess potential impacts of a range of maintenance activities (including signage works) within the River Spey and River Spey – Insh Marshes European Sites. The HRA Proforma outlines standard good practice measures to reduce the risk of pollution or disturbance to qualifying features of these designated sites and concluded that none of the proposed maintenance works would result in Likely Significant Effects (LSE) on the qualifying features of these sites. The HRA Proforma was approved by NatureScot and Transport Scotland as the Competent Authority. All relevant good practice measures will be detailed in the Site Environmental Management Plan (SEMP) and adhered to during works. As such, no significant impacts on the River Spey and River Spey – Insh Marshes European Sites are anticipated by virtue of the following factors:

- The works are undertaken on the ditch carrying a minor unnamed waterbody 15m upstream of the SACs, SPA and Ramsar, and as such any potential pollution incidents will have a level of dilution factor before reaching the SACs, SPA and Ramsar which in turn will reduce negative impact on the environment.

- Given the minor and localised nature of the works and adherence to good practice measures for pollution prevention, no risk of significant pollution impacts were identified.
- Silt fencing, silt matting, and silt wattles, or similar silt mitigation, will be used on site to prevent sedimentation travelling downstream of the scheme extents.
- Works will not promote the known negative pressure on the various designated species.

Likewise, for the same factors as for European sites, the works will not have LSE on River Spey - Insh Marshes SSSI or Insh Marshes National Nature Reserve.

The site visit did not identify any INNS, invasive native perennials or injurious weeds within the scheme extents. There is no requirement to import topsoil and the excavated ditching material will be spread within the ditch verges. As such, there is limited potential to spread or introduce INNS, invasive native perennials, or injurious flowering plant species.

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

- Works will be strictly limited to areas required for access and the works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.
- 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 shall be reported to the BEAR Scotland Environment Team.
- If works are to be undertaken within the breeding bird season (March to August inclusive), nesting bird checks will be required within 48 hours of works commencing.
- Relevant toolbox talks for working with protected species will be included in the SEMP.
- 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.
- 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.

- It is expected that tree and vegetation removal will only take place within the trunk road boundary and/or Scottish Ministers' land. If there is a requirement to fell more than 5m³ of timber from third-party land, then a felling licence from Scottish Forestry (SF) will be required prior to works and compensatory planting is likely to be required as a condition of the licence.
- 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.

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

All works are confined to the A86 carriageway verge and a private land field boundary and are restricted to ditching works with vegetation management. The scheme is not located within a site of geological significance and no significant earthworks are expected as part of these works and excavated soil material will be side casted within the site. The following measures will be applied to on site:

- Mitigation measures to prevent contamination of soils through loss of containment will be strictly adhered to.
- Excavated material will be kept to a minimum and spread evenly within the banks of the watercourse along the scheme extents.
- The parking of machinery/vehicles and storage of equipment on road 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 the waterbodies banks) will be reinstated as much as is practicable.
- All relevant soil management toolbox talks will be included in the SEMP and sediment control measures will be in place to prevent soil eroding into the unnamed waterbody and travelling downstream.
- Additional pollution prevention measures as outlined in Road drainage and the water environment will be adhered to during construction.

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

Material assets and waste

The works do not require material to be delivered for the works to be undertaken, however there is potential for impacts as a result of resource depletion through use of machinery and transportation. However, the following mitigation measures will be put in place:

- The use of machinery will be limited to minimal required times and machinery will not be left idling unnecessary.

There is potential for impacts during works as 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.
- 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.
- Felled trees will be chipped on site with logs placed as wildlife habitats or retained by the landowner for private use.
- Excavated ditch material will be side casted under SEPA Paragraph 25 exemption.
- All other 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 will 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 undertaken where possible, 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).
- Appropriate measures will be implemented during ditching works to limit the potential for silt material to enter drainage downstream of the ditch.
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.

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 works have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. The works will employ a daytime working pattern; furthermore, properties are set-back at least 175m north of the scheme are screened by intervening tree belts. Due to the short duration and localised nature of the works, the proposed scheme is anticipated to result in temporary minor noise increases during the construction programme. 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.
- 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.
- 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 local residents, vehicle travellers, and NMUs. TM will be short duration and sporadic, required only during plant egress and ingress of the scheme and will be in form of Stop/Go boards, which are adaptive to traffic flows. No static TM is required, therefore increased journey times are not anticipated. Although

there are no NMU facilities within the scheme extents, which lie within 300m of the scheme, will be maintained.

Multiple residential properties and commercial premises are found within 300m of the scheme. The nearest receptor, 'Trossachs Woollen Mill', lies just 8m from the scheme with no screening present. Given that the works are opposite the entrance route to the shop, there is potential for disturbance/obstruction from presence of operatives/plant, and TM.

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

- The works schedule and any changes to this will be communicated to local residents prior to and throughout the programme.
- Given the proximity of urban development to the scheme extents, the Toolbox Talk TTN-042 Being a Good Neighbour will be briefed prior to works commencing.
- Appropriate provisions / measures will be implemented within the traffic management 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 Scotland's social media platforms.

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

Road drainage and the water environment

There is potential for temporary impacts on the water environment due to operation within the ditch, which may lead to potential changes in water quality from pollution events (either by accidental spillage of sediments, particulate matter, chemicals, fuels or by mobilisation of these in surface water caused by rain).

The scheme entails 'construction and maintenance of road drains that do not affect a natural watercourse', therefore the works are able to proceed under General Binding Rule 5 (GBR5) [The Water Environment \(Controlled Activities\) \(Scotland\) Regulations 2011 \(as amended\)](#).

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

- Standard working practices to comply with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) for works in or near water are detailed in the SEMP and will be adhered to on site.
- Adherence to GBR9 'Operating vehicles, plant or machinery in or near surface water or wetland for purpose of carrying out any other GBR activity and /or maintenance of an existing structure' will also apply ([The Water Environment \(Controlled Activities\) \(Scotland\) Regulations 2011 \(as amended\)](#)).
- All machinery will operate from the banks of the watercourse.
- Pollution control measures, including relevant SEPA Pollution Prevention Guidelines (PPGs) and Guidance for Pollution Prevention (GPPs), as well as other good practice measures for working in or near water, will be detailed in the SEMP and adhered to on site to prevent sediment or other materials entering the water environment.
- A toolbox talk on silt and sediment containment will be delivered to all site staff as part of the site induction.
- Felled vegetation material will be disposed of appropriately in line with the NW NMC Contract (Schedule 5, Appendix 0/1, 3010SR Maintenance of Established Trees and Shrubs).
- Vegetation cutting will not be disposed of in the watercourse. Where cuttings do not contain any invasive species, they will be left to compost in piles at a suitable area on-site at least 10m away from any watercourses or surface water drains.
- No discharges into any watercourses or drainage systems will be permitted. Appropriate containment measures will be in place to prevent any loss of construction materials into the water environment (e.g. dust, debris, wet concrete). Any dust, concrete debris, or other materials produced during works will be contained and removed from site to be disposed of appropriately.
- 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 will 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 contaminated 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 must also be supplied beneath the equipment with a capacity of 110%.

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. The following mitigation measures will be put in place:

- BEAR Scotland will adhere to their Carbon Management Policy.
- 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 a local waste management facility.

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

The works will improve the drainage issues within the surrounding land. The works will also be programmed as far as is reasonably practicable to avoid periods of adverse weather or heavy rainfall.

There is no requirement for static TM to be in place to facilitate the works and although the works will require TM for plant movement on/off the A86 carriageway, TM will be short duration and undertaken by Stop/Go boards. There are no NMU routes within the scheme extents, however if present, NMU will be included in the traffic management setup.

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.

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.

A search of the Highland Council Planning Portal ([Map Search](#)) identified a number of approved planning applications within 300m of the scheme extents, including for development of affordable housing. However, the works are of short duration (1 week) and do not require static TM to be present on A86. Therefore, due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

A search of the Scottish Roads Works Commissioner website ([Map Search](#)) has identified that no other roadworks are currently ongoing, or noted as being planned, on the trunk road at the same time as this scheme. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

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 Scotland 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 a significant cumulative effect 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. A Habitats Regulations Appraisal has determined that the works will not result in Likely Significant Effects on designated features of the River Spey SAC, Inch Marshes SAC, River Spey – Insh Marshes SPA and River Spey – Insh Marshes Ramsar.

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 in whole within the Cairngorms National Park which is 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 EIA 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 scheme entails 'construction and maintenance of road drains that do not affect a natural watercourse', therefore the works can proceed under General Binding Rules.
- Construction activities are restricted to an area of 0.075ha along a 300m stretch of the ditch.
- The works will be temporary, localised, and completed during daytime hours over up to 1 week.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.

- Field surveys to date have not identified any protected species shelters and no protected species licences have been required. Nesting bird checks will be undertaken if works are to proceed during the bird breeding season.
- The works will not include removal of more than 5m³ of timber.
- The risk of major accidents or disasters is considered to be low.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users and nearby human receptors during the operational phase.

Location of the works:

- The River Spey SAC, Insh Marshes SAC, River Spey - Insh Marshes SPA and River Spey - Insh Marshes Ramsar lie within 2km of the scheme. An HRA Proforma was produced in 2023 which concluded that the proposed works will not result in LSE on the qualifying features of these European sites (or the associated SSSIs). The HRA Proforma was approved by NatureScot and Transport Scotland as the Competent Authority.
- The scheme extent is located within CNP, which will be notified of the proposed works.
- There are no pedestrian facilities located within the scheme extents.
- Landowner bordering the scheme extents is in agreement with the works.
- Any impacts to the local landscape during the construction phase will be minor and will not result in significant visual changes to the A86 road corridor or the CNP. In addition, no operational impacts are anticipated.

Characteristics of potential impacts of the works:

- 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.
- No impacts on the environment are expected during the operational phase as a result of works. The works are expected to result in positive impacts on road users, ecological and human receptors during the operational phase.
- As the works will be limited to the maintenance of road drainage, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- Mitigation measures detailed above (and in the SEMP) will be put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.

References of supporting documentation

BEAR Scotland. 2023. Roads and Bridges Maintenance Activities within the Drumochter Hills, River Spey and River Spey - Insh Marshes European Sites, Highland Region Habitats Regulations Appraisal (HRA) Proforma - Rev 2.0.

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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