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Environmental Impact Assessment Record of Determination

**A889 North of Crubenmore
Junction (North of Dalwhinnie)
– Resurfacing**

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Project Details

Description

BEAR Scotland has been commissioned by Transport Scotland to undertake resurfacing works on a 395m section of the A889 trunk road. Carriageway resurfacing will involve the milling out and replacing of bituminous material. Following the resurfacing works, road markings and studs will be reinstated.

Main plant will include pavers, planers, excavators, and rollers. Heavy goods vehicles (HGVs) will be required for transport of materials and wastes.

The package of works will include:

- 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.
- Install road markings and studs.
- Remove TM and open road.

The scheme is currently programmed for delivery within the 2026-2027 financial year, with an approximate start date of 22/09/2026, over a duration of six nights and utilising a night-time working pattern (19:00 – 06:00). Changes in the programme may result in a change to the proposed working hours/commencement dates.

TM will consist of two-way temporary traffic lights and convoy system. The TM strategy will be in line with recommendations and guidance in The Traffic Signs Manual Chapter 8 ([Traffic signs manual chapter 8](#)). Access to junction and private roads will be maintained. Site access and plant storage will be located within TM. If the programme changes, this may result in amendment to the exact TM requirements.

Location

The scheme is located on a stretch of the A889 trunk road approximately 950m north from the village of Dalwhinnie which lies within the Highland Council (Figure 1) authority area. The scheme has the following National Grid Reference (NGR):

- Scheme start point NGR: [NN 63932 85791](#)
- Scheme end point NGR: [NN 63670 85782](#)

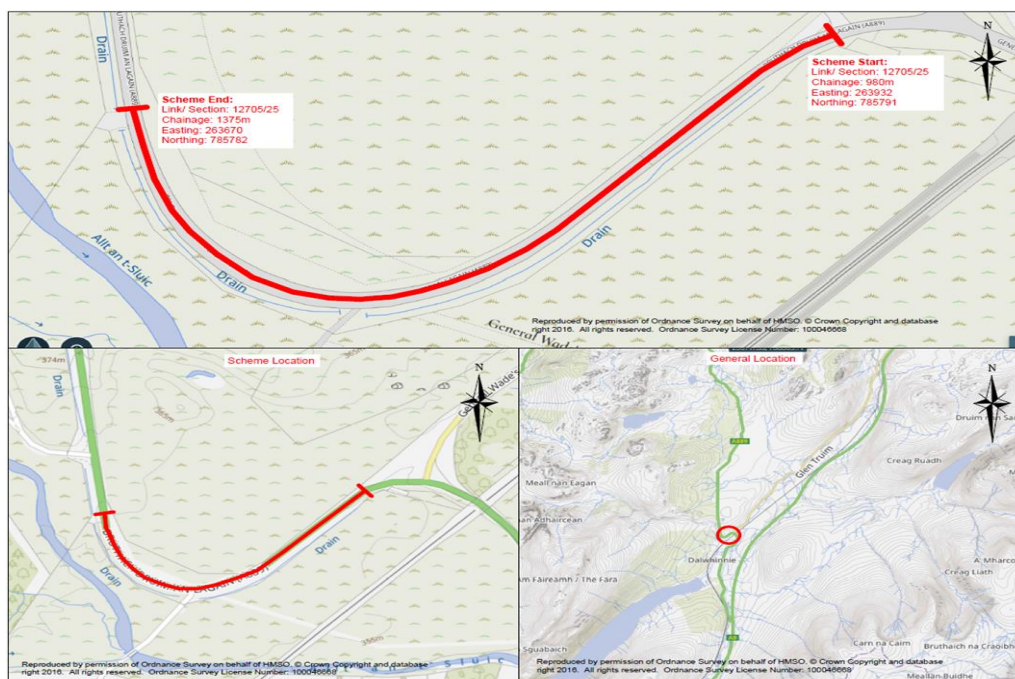


Figure 1. A889 North of Crubenmore Junction (North of Dalwhinnie) scheme location and scheme extent

Description of local environment

Air quality

No Air Quality Management Areas (AQMA) ([Air Quality Management Areas](#)) are located within 10km of the scheme.

There are no air quality monitoring stations located within 10km of the proposed works ([Scottish Air Quality](#)).

There are no air pollutant release sites registered on the Scottish Pollutant Release Inventory (SPRI) located within 10km of the scheme ([Scottish Pollutant Release Inventory](#)).

Baseline air quality in the study area is mainly influenced by vehicles travelling along the A889 trunk road. Secondary sources are derived from distillery operations and land management within the surrounding area.

Cultural heritage

[Pastmap](#) highlights multiple features of cultural heritage interest within 300m of the scheme. The following is a list of all designated features noted within 300m of the scheme.

Listed Building

- Category B Dalwhinnie Distillery and Bonded Warehouse (ref: LB6898) lies approximately 245m south from the scheme.

There are no Scheduled Monuments, Garden & Designed Landscapes, Conservation Areas, Battlefields, or World Heritage Sites within 300m of the scheme.

Several records of lesser cultural heritage importance are noted on the National Records of the Historic Environment (NRHE) and Historic Environment Record (HER) databases within 300m of the scheme. The closest which is noted on the NRHE database lies approximately 250m southeast from the scheme – *Dalwhinnie – Fort Augustus Military Road* (ref: 368790).

The works are confined to the trunk road boundary. As such, construction of the A889 is likely to have removed any archaeological remains that may have been present within the area and as such cultural heritage is scoped out and is not discussed further within this RoD.

Landscape and visual effects

The scheme is not located within a National Scenic Area (NSA) ([SiteLink](#)). However, the scheme does fall within the Cairngorms National Park (NatureScot Site code: [8623](#)) which is designated for the following special general qualities,

- Magnificent mountains towering over moorland, forest and strath.
- Vastness of space, scale and height.
- Strong juxtaposition of contrasting landscapes.
- A landscape of layers, from inhabited strath to remote, uninhabited upland.
- ‘The harmony of complicated curves’.
- Landscapes both cultural and natural.

The Landscape Character Type (LCT) ([LCT 126](#)) within the scheme extent is recorded as ‘Upland Glen – Cairngorms’, which has the following key characteristics:

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

Land use ([HLAmap](#)) within 300m of the scheme extent is classified as industrial or commercial area (distillery), plantation woodland and rough grazing.

The A889 carriageway is a prominent linear landscape feature. The road corridor, for example, has a distinct character shaped by fast-flowing traffic, road markings, safety barriers, signage, landscaping, etc. The scale of the carriageway detracts from the quality and character of the wider landscape.

The A889 Trunk Road, within the North West Network Management Contract (NMC), connects Dalwhinnie with Laggan Bridge, predominantly acting as a link between the A9 and A86 Trunk Roads. It commences at (but excludes) its junction with the A9 at Dalwhinnie leading generally northwards for 14 kilometres to (but excludes) its junction with A86 at Laggan Bridge. The A889 is a single carriageway along its length.

Biodiversity

The River Spey Special Area of Conservation (SAC) lies approximately 340m east from the scheme extent (NatureScot Site Code: [8365](#)).

Drumochter Hills SAC lies approximately 1.95km south from the scheme extent (NatureScot Site Code: [8243](#)).

Drumochter Hills Special Protection Area (SPA) overlaps Drumochter Hills SAC and lies approximately 1.95km south from the scheme extent (NatureScot Site Code: [8491](#)).

A Habitats Regulations Appraisal (HRA) has been undertaken to assess the ecological connectivity of the works on the qualifying features of each site. Refer to the Biodiversity Impacts and Mitigation section below.

No other locally or nationally designated sites with biodiversity features (such as, Sites of Special Scientific Interest (SSSI), Local Nature Reserves (LNR) or National Nature Reserves (NNR)) are located within 300m of the scheme ([SiteLink](#)).

A search of the NBN Atlas identified the invasive native perennial plant rosebay willowherb (*Chamaenerion angustifolium*) (as listed in the NMC) using the same search criteria.

A search of Transport Scotland's Asset Management Performance System (AMPS) holds no records of invasive or injurious plant species (as listed in the NMC) within 300m of the scheme.

Habitats surrounding the A889 carriageway at the scheme extent is dominated by heather moorlands, rough grassland and scrub with plantation woodlands (densely planted coniferous tree species) to the west of the scheme.

There are no areas of woodland listed on the Ancient Woodland Inventory within 300m of the scheme ([Ancient Woodland Inventory](#)).

There are no Tree Preservation Orders (TPOs) present within 300m of the scheme ([Tree Preservation Orders](#)).

It is considered unlikely that any terrestrial mammal species of conservation importance are associated with permanent habitat or resting places within the area of likely construction disturbance. Therefore, a field survey has been ruled out, and a desktop study has been deemed sufficient for this assessment.

Geology and soils

There are no Geological Conservation Review Sites (GCRSs) or SSSIs designated for geology features within 300m of the scheme ([SiteLink](#)).

Bedrock geology ([BGS Geology Viewer](#)) within the scheme consists of:

- Gaick Psammite Formation-Psammite.

Superficial deposits ([BGS Geology Viewer](#)) within the scheme consists of:

- River Terrace Deposits (Undifferentiated)-Gravel, sand and clay.

Soils within the scheme are recorded as humus-iron podzols with mineral alluvial soils with peaty alluvial soils ([Scotland's Soils](#)).

Soils within the scheme extent are recorded as being of Carbon and Peatland 'Class 0', class is associated with mineral soil where peatland habitats are not typically found on such soils ([Carbon and Peatland Map](#)).

As a result of the works taking place strictly within the existing man-made footprint, it has been determined that the proposed project does not carry the potential to cause direct or indirect impact to geology or soils. As such, impact has been assessed as being 'no change' and has been scoped out of requiring further assessment.

Material assets and waste

The proposed works are necessary to resurface the worn carriageway, likely requiring binder inlay, and reinstatement of road markings. Materials used will consist of:

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

Wastes are anticipated to be removed planings from the surface course and will be managed in accordance with SEPA Position Statement WAS-G-DEF-07 (LRWA 3) and recycled in line with SEPA Guidance WAS-G-DEF-05 on End-of-Waste for Recycled Aggregates. The Contractor will be responsible for ensuring full compliance with these requirements.

It has not been confirmed if any coal tar is present. If present, any coal tar contaminated road planings will be classified as a Special Waste. Special waste consignment notes (SWCN) will be obtained from SEPA to allow the movement of the contaminated planings. Coal tar contaminated road planings will be transported by a registered waste carrier to an appropriate waste recovery facility, and SEPA will be notified prior to the Special Waste leaving site.

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

No site compound is required for these works. Storage of plant and equipment will be within the A889 carriageway.

Noise and vibration

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

A search of [Scotland's Noise Map](#) returned records for noise levels during the night (LNGT) within the A889 and its verges between 40 and 50dB.

The scheme does not fall within a Candidate Noise Management Area (CNMA) as defined by the Transportation Noise Action Plan ([TNAP](#)) 2024 – 2028.

Baseline noise levels are likely to be primarily influenced by traffic travelling along the A889 carriageway. Secondary sources are derived from vehicles travelling along the local road network, railway and rural activities associated with land management within the area.

Population and human health

The scheme traverses a significant rural area where properties are scarce. However, there is a cluster of approximately five residential properties within 300m of the scheme. The closest property is located approximately 175m southeast of the scheme, beyond the railway line. This property is afforded limited visual and acoustic screening from the A889 carriageway.

There are two gated access routes within the scheme extent. One leads to a property and the other is possibly forestry management access.

There are no laybys, pedestrian footpaths or bus stops within 300m of the scheme.

The highland mainline railway lies approximately 90m southeast from the scheme.

The Dalwhinnie Distillery lies approximately 245m south from the scheme.

According to Scottish Road Works there are no other works scheduled within 300m of the scheme ([Scottish Road Works Online](#)).

The National Cycle Network (NCN) route 7 ([OS Maps](#)) is located approximately 50m east from the scheme.

One walking route listed on [Core Paths Highland Council](#) (*Access to Caochan Wood* ref: BS04.02) starts outwith the scheme extent (approximately 50m north) on a path accessed via the A889 carriageway. There are no walking routes listed on [Walkhighlands](#) within 300m of the scheme.

Transport Scotland's manual data counter (Site name: ATC01167) located approximately 4km north from the scheme, recorded an annual daily total (ADT) of 1,206 motor vehicles in 2025, of which 8.7% were Heavy Goods Vehicles (HGVs).

TM will consist of two-way temporary traffic lights and convoy system.

Road drainage and the water environment

'Strathnairn, Speyside and Cairngorms' (ID 150709) and 'Upper Spey Sand and Gravel' (ID: 150814) are groundwater bodies, in the Scotland River basin district, which underlie the scheme. Both were given an overall status of 'good' in 2024 by Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) ([Water Classification Hub](#)).

River Truim from source to Allt Cuaich confluence is a river (ID: 23638), forms part of the River Spey SAC within the River Spey catchment of the Scotland river basin district. It lies approximately 340m east from the scheme. The water body has been designated as a heavily modified water body on account of physical alterations that cannot be addressed without a significant impact on water storage for hydroelectricity generation. It was awarded an overall status of 'moderate ecological potential' in 2024 by SEPA ([Water Classification Hub](#)).

Small unclassified surface waterbodies and/or culverted drainage channels that flow below and within proximity of the A889 carriageway may be present within 300m of the scheme.

The scheme falls within an area of high to medium likelihood (10%-0.5% chance) of surface water and small watercourse flooding each year. Sections of the scheme also fall within a medium likelihood (0.5% chance) of river flooding each year. The scheme falls within an area that has no likelihood of coastal water flooding each year ([SEPA Flood Maps](#)).

Climate

The [Climate Change \(Scotland\) Act 2009](#) ('The Act'), and its subsequent amendment under the [Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#), sets the framework for the Scottish Government to address climate change. The Act has an ambitious target to reach Net Zero greenhouse gas

emissions by 2045, with any residual emissions balanced by removing carbon dioxide from the atmosphere. This is five years earlier than the rest of the UK due to the greater potential for carbon sequestration in Scotland.

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

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

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

Policies and plans

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

Description of main environmental impacts and proposed mitigation

Air quality

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

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

- Material stockpiles will be reduced as far as is reasonably practicable by using a 'just in time' delivery system. All material will also be stored on made ground.
- Any stockpiled material on site will be monitored daily to ensure no risks of dust emissions exists.
- Materials will be removed from site as soon as is practicable.
- Good housekeeping will be employed throughout the work.

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

Landscape and visual effects

Works lie within the Cairngorms National Park. The National Park Authority will be notified prior to the works commencing.

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.

However, people, ancillary plant, vehicles, NRMM and materials are restricted to areas of made/engineered ground on the A889, and construction works are programmed to be of short duration, undertaken at night on a rolling programme. No change to land use, or to the designation features of the CNP, will occur as a result of the works. As such, the visual impact of the works will be minimal. Upon completion of the works, no residual impacts are anticipated e.g., when complete the visual appearance will remain largely unaffected, with a renewed road surface being the only discernible change.

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, minimising the landscape and visual effects as much as possible.
- Works will avoid encroaching on land and areas where work is not required or not permitted. This includes general works, storage of equipment/containers and parking.
- Where applicable, upon completion of the works, any damage to the local landscape will be reinstated as much as is practicable.
- The site will be left clean and tidy following construction.

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

Biodiversity

The proposed works lie within 2km of the River Spey SAC, Drumochter Hills SAC and Drumochter Hills SPA. The existing BEAR Scotland 'Roads and Bridges Maintenance Activities within the Drumochter Hills, River Spey and River Spey-Insh Marshes European Sites, Highland Region HRA (June 2023)' produced by BEAR Scotland to assess ecological connectivity of maintenance activities on the River Spey SAC and Drumochter Hills SAC/SPA includes resurfacing works, such as those proposed at A889 North of Crubenmore Junction. As such, potential impacts of the proposed works have already been assessed and no further HRA is required for this scheme.

The HRA concluded that there would be no Likely Significant Effects (LSE) on the qualifying features of the River Spey SAC based on the following factors:

- No works will take place within the boundary of the SAC and no in-water works are required
- Given the minor and localised nature of the works, the lack of requirement for in-water works, and adherence to standard good practice measures for pollution prevention, no risk of significant pollution impacts (to watercourses or associated feeding grounds) was identified.
- Although the works will result in a temporary (localised) increase in noise, this is unlikely to significantly affect the qualifying features of the SAC due to the transient nature of the works, the mobile nature of the qualifying species and the ample alternative foraging habitat in the remainder of the SAC away from the works.
- Mammals within the vicinity of the trunk road are likely to be habituated to existing levels of noise and activity due to traffic, and the proposed resurfacing works are unlikely to result in significantly higher levels of noise than baseline levels.
- Although night works will require artificial lighting, the works will be transient, and lighting will be directed in a way to avoid light spillage within the surrounding environment.
- Works will not promote the known negative pressures on the various designated features.

The HRA concluded that there would be no LSE on the qualifying features of the Drumochter Hills SAC (included assessment of features of Drumochter Hills SSSI (montane assemblage, vascular plant assemblage, fluvial geomorphology of

Scotland) as a component of the SAC for completeness) based on the following factors:

- No works will take place within the boundary of the SAC/SSSI, and no in-water works are required; as such no direct impacts on the qualifying features will occur.
- Standard working practices include robust containment measures to prevent pollution events.

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

- No works will take place within the boundary of the SPA/SSSI; as such no direct impacts on the qualifying breeding bird species (mortality or nest destruction due to construction vehicles, habitat loss) will occur.
- Given the minor and localised nature of the works, the lack of requirement for in-water works, and adherence to standard good practice measures for pollution prevention, no risk of significant pollution impacts (to watercourses or associated feeding grounds) was identified.
- Bird species that are within proximity to the works are likely to be habituated to the traffic noise, and the proposed resurfacing works are unlikely to result in significantly higher levels of noise than baseline levels.

The habitat surrounding the works indicates the potential for presence of protected species. 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. However, works are restricted to the A889 carriageway and the number of construction vehicles and construction operatives required onsite is low given the scale and scope of works. In addition, any species in the area are likely to be accustomed to noise and visual disturbance pertaining to vehicle movements on the A889 and the scheme is of short duration. The potential for significant species disturbance within the area of likely construction disturbance is therefore considered to be low.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the SEMP and adhered to on site. Therefore, with the following mitigation measures in place, the risk of significant impacts on biodiversity are considered to be low:

- No in-water works will be permitted. Works will be strictly limited to areas required for access and to carry out the works. Unnecessary encroachment onto terrestrial or aquatic areas will not be tolerated.

- All construction operatives will be briefed through toolbox talks prior to works commencing, which will be included in the SEMP. The toolbox talks will provide information on the legislation, general ecology, and best practice measures for relevant protected species.
- Site personnel will remain vigilant for the presence of recorded and unrecorded instances of invasive plants or injurious weeds in road verges throughout the works period; should any be identified in working areas, no works will take place within 7m of these areas until the BEAR Scotland Environment Team can provide further advice on additional mitigation measures.
- Site personnel will remain vigilant for the presence of any protected species, throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species will be reported to the BEAR Scotland Environmental Team.
- Artificial lighting will be directed away from areas of woodland and waterbodies as far as is safe and reasonably practicable.
- If an active bird nest (e.g., eggs or young present, adult sitting on nest) is identified on site, all works within 30m of the nest will stop until the BEAR Scotland NW Environment Team can provide advice.
- A 'soft-start' will be implemented on site each day. This will involve switching on vehicles and checking under/around vehicles and the immediate work area for mammals prior to works commencing to ensure none are present and that there is a gradual increase in noise.
- Any excavations, exposed pipes/drains, or areas where an animal could become trapped (e.g. storage containers) will be covered over when not in use, at the end of each shift, and following completion of the works to avoid animals falling in and becoming trapped.
- If fencing is utilised at any point during the works, a gap of 200mm from ground level will be provided, allowing free passage for mammals and preventing entrapment.

Taking into account the nature and scale of the works and the good site practice mitigation measures which will be adopted during the works, it is anticipated that any biodiversity effects associated with the proposed works will not be significant. This receptor is not considered further in this RoD.

Material assets and waste

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

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

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.
- All road planings will be managed in accordance with SEPA Position Statement WAS-G-DEF-07 (LRWA 3) and recycled in line with SEPA Guidance WAS-G-DEF-05 on End-of-Waste for Recycled Aggregates.
- All wastes and unused materials will be removed from site in a safe and legal manner by a licensed waste carrier upon completion of the works. The appointed waste carrier will have a valid SEPA waste carrier registration, a copy of which will be provided to and retained by BEAR Scotland as early as possible.
- All appropriate waste documentation will be present on site and be available for inspection. A copy of the Duty of Care paperwork shall be produced and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).
- If any presence of coal tar is discovered the following process will be followed:
 - Any coal tar contaminated road planings will be classified as Special Waste.
 - Special waste consignment notes (SWCN) will be obtained from SEPA to allow the movement of the contaminated planings.
 - Coal tar contaminated road planings will be transported by a registered waste carrier to an appropriate waste recovery facility.
 - SEPA will be notified at least 72 hours before (and no longer than one month before) Special Waste leaving site.
- Re-use and recycling of waste will be encouraged, and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g., waste carrier's licence, transfer notes, and waste exemption certificates).
- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.

- Where applicable, all temporary signage will be removed from site on completion of the works.

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

Noise and vibration

Construction activities associated with the proposed scheme have the potential to cause noise and vibration impacts through the use of equipment and construction vehicles for the proposed activities. However, the works are not located within a CNMA or CQA and the proximity of road space suggests that residents within the local area will have a degree of tolerance to noise and disturbance. Works will be completed over 6 nights on a rolling programme, with the aim being to complete the noisiest work by 23:00. Works with the potential to induce worst-case scenario noise and vibration will also be intermittent, temporary, transient and short-lived.

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

The following mitigation measures will be put in place:

- Local residents which are affected by the works will be notified in advance of the works, likely by a letter drop, which will contain details of the proposed timings and duration of the works, in addition to contact details for the Site Supervisor.
- The Environmental Health Officer (EHO) from Highland Council will be notified of the works.
- 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.
- Where possible and where works will take place within 300m of residential properties and other sensitive receptors, the noisiest work operations (e.g., cold milling, using breakers (jackhammers), chipping hammers, use of rollers, etc.) will be completed before 23:00.
- All site personnel will be fully briefed in advance of works regarding the need to minimise noise during works and of the site-specific sensitivities.

- Drop heights from vehicles and NRMM will be kept to a minimum to minimise noise when unloading.
- All plant, machinery and vehicles will be switched off when not in use.
- All plant will be operated in such a way that minimises noise emissions and will have been maintained regularly to the appropriate standards.
- Where fitted, and where permitted under Health and Safety requirements, white noise reversing alarms will be utilised during construction.
- Where ancillary plant such as generators are required, they will be positioned so as to cause minimum noise disturbance. Where deemed necessary, acoustic screens will be utilised.

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

Population and human health

During construction, activities undertaken on site have the potential to have temporary adverse impacts on local residents, vehicle travellers, and NMUs. Although the works require two-way temporary traffic lights and a convoy system, the TM will take place at night when traffic count is at its lowest and no significant congestion issues are noted during the proposed construction hours. In the event of local access restrictions to residential properties, access will be granted as requested. Access to any NMU facilities which lie within 300m of the scheme, will be maintained.

A cluster of approximately five residential properties is found within 300m of the scheme. The nearest of which lies approximately 175m southeast from the works with limited visual and acoustic screening. Works are being undertaken at night, therefore, there is potential for a level of disturbance from noise, vibration and the additional construction lighting.

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

- Notification will be issued to local residents and local public transport operators prior to commencement of the works, advising of any proposed works and expected restrictions.
- The works schedule and any changes to this will be communicated to local residents prior to and throughout the programme.
- Given the proximity of residential properties to the scheme extents, the Toolbox Talk TTN-042 'Being a Good Neighbour' will be briefed prior to the works commencing.

- Construction lighting will consider the need to avoid illuminating surrounding environment and properties to avoid a nuisance at night, and non-essential lighting will be switched off at night.
- Local access will be granted as required.
- Appropriate provisions / measures shall be implemented within the traffic management to allow the safe passage of NMUs of all abilities through the site.
- Journey planning information will be available for drivers online at the trafficscotland.org website. Journey planning information will also be available for drivers online through BEAR's social media platforms.

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 of plant within and within proximity to watercourses and/or drainage systems, 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).

No in-water works will take place and there is no requirement for the abstraction or transfers of water from, or discharges to, a waterbody. As such, the potential for a direct pollution incident within a waterbody is unlikely. Experience gained from BEAR maintenance schemes elsewhere on the network has shown that where standard good working practice is adopted (e.g., adherence to SEPA good practice guidance, utilisation of drain covers or similar, etc.), water quality is protected.

The works may result in potential direct or indirect effects on surrounding waterbodies. The following mitigation measures will be put in place to reduce the risk of pollution incidents as a result of works:

- No work has been identified that would require entering any surface waterbodies. If such a need were identified onsite, BEAR Scotland's Environmental Team will be contacted (before the works commence) to allow consideration of potential environmental effects.
- Standard working practices to comply with The Environmental Authorisations (Scotland) Regulations 2018 (EASR) for works in or near water will be detailed in the SEMP and adhered to on site.

- No discharges into any watercourses or drainage systems are permitted. Appropriate containment measures must be in place to prevent any loss of construction materials into the water environment.
- Appropriate measures will be implemented during resurfacing operations to limit the potential for wastes (i.e. road planings) and materials (i.e. new asphalt) to enter any gullies present on site. On completion of resurfacing operations, any gullies present on site will be visually checked to ensure they have not become blocked as a result of the scheme.
- An incident response (contingency) plan will be put in place to reduce the risk from pollution incidents or accidental spillages. All necessary containment equipment, including suitable spill kits (for oil and chemicals) will be available on site, quickly accessible if needed, and staff trained in their use.
- All spills will be logged and reported. In the event of any spills into the water environment, all works will stop, and the incident will be reported to the project manager and the BEAR Scotland Environmental Team. SEPA will be informed of any such incident as soon as possible using the SEPA Pollution Hotline.
- All plant and equipment will be regularly inspected for any signs of damage and leaks. A checklist will be present to make sure that the checks have been carried out.
- Storage of hazardous material, oil and fuel containers will be distanced more than 10m away from any watercourses.
- If required, a designated refuelling area will be identified. Fuel bowsers will be stored on an impermeable area and be fully bunded. This will be distanced more than 10m from any watercourses.
- During refuelling of smaller mobile plant, a funnel will be used, and drip trays will be in place. Care will be taken to reduce the chance of spillages. Spill kits will be quickly accessible to capture any spills should they occur. The ground/stone around the site of a spill shall 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 shall 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

During the works there is potential for impacts such as the emission of greenhouse gases through the use of equipment, vehicles, material use, and production and transportation of materials and wastes. However, considering the nature, short-term duration, size and scale of the scheme, and the mitigation detailed below, the risk of significant impacts to climate are considered to be low.

Proposed climate mitigation measures:

- BEAR Scotland will adhere to its Carbon Management Policy.
- All mitigation measures detailed within 'Air Quality' and 'Material Assets and Waste' will be adhered to.
- The works will utilise the use of Warm Mix Asphalt (WMA) for binder layer in favour of Hot Mix Asphalt (HMA).
- Local contractors and suppliers will be used as far as is practicable to reduce fuel use and greenhouse gases 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 disposed at local landfill, where required.

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

Sections of the A889 carriageway within the scheme extents have a high to medium likelihood (10% - 0.5% chance) of surface water and small watercourse flooding each year. There are also sections of the scheme that fall within a medium likelihood (0.5% chance) of river flooding each year. Works will be programmed as far as is reasonably practicable to avoid periods of adverse weather or heavy rainfall. There will be no change to the likelihood of flooding on the A889 within the scheme extents upon completion of the works.

Works are restricted to areas of engineered ground of the A889 trunk road and TM will be designed in line with existing guidance. TM will consist of two-way temporary traffic lights and convoy system. Local residents will be notified of working hours and provided with appropriate contact information. Pedestrians or other NMUs will be accommodated within 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. Due to the nature of the proposed works, no cumulative effects are anticipated with any other developments in the vicinity.

A search of [Highland Council Planning Portal](#) identified no approved planning applications within the last 6 months within 300m of the scheme.

A search of the Scottish Road Works Commissioner website ([Scottish Road Works Online](#)) has not identified any other roadworks that 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 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.

An HRA was undertaken due to the scheme's proximity and ecological connectivity with the River Spey SAC, Drumochter Hills SAC and Drumochter Hills SPA. The HRA concluded that works will not result in LSE on the qualifying features of the River Spey SAC, Drumochter Hills SAC and Drumochter Hills SPA and no further assessment 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), are situated in wholly or partly 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 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:

- Construction activities are restricted to an area of 0.296ha along a 395m stretch of the A889 carriageway.
- The works will be confined to the road surface of the existing A889 carriageway and will be completed over 6 nights during night-time working hours.
- Works are not expected to result in significant disturbance to nearby receptors or protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- By removing the carriageway defects this will provide this part of the A889 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions for road users.

- Measures will be in place to ensure appropriate removal and disposal of waste.

Location of the scheme:

- The scheme will be located within the existing A889 road boundary (carriageway surface) and as such, no land take will be required.
- The scheme is located within 2km of the River Spey SAC, Drumochter Hills SAC, and Drumochter Hills SPA. The existing HRA concluded no LSE would occur on these features as a result of proposed works and no further assessment or consultation with NatureScot was required.
- The scheme is located within the Cairngorms National Park, no change to the park is expected due to the works.
- The highland mainline railway lies approximately 90m southeast from the scheme.
- The scheme lies within a rural area with five residential properties within 300m of the works. The closest property lies approximately 175m southeast from the works.
- The site compound will be located on made ground within TM.

Characteristics of potential impacts of the scheme:

- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- Measures will be in place to ensure appropriate removal and disposal of waste.
- Works are programmed to only take 6 nights to complete on a rolling programme, with the aim being to complete the noisiest works by 23:00.
- Residual impacts are considered to be beneficial for the travelling public which may use this stretch of carriageway. In addition, improved road surface will reduce the noise levels from travelling public and in turn will reduce disruption to the receptors located in proximity to the scheme.
- The SEMP will include plans to address environmental incidents.
- Mitigation measures detailed above and in the SEMP are put in place with the objective to prevent and, if required, subsequently control any potential impacts on sensitive receptors.
- No in-combination effects have been identified.

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 Proforma.

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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