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Environmental Impact Assessment Record of Determination

A9 South of Ruthven

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Project Details

Description

BEAR Scotland has been commissioned on behalf of Transport Scotland to undertake resurfacing and civil works on a section of the A9, approximately 0.5km south of the settlement of Ruthven covering a total length of 1,127m. The works will include the following:

Resurfacing:

- Milling out and replacing of up to 100mm of bituminous material.
- Reinstatement of road markings.

Civil works:

- Replacement of bollards
- Installation of new footpath in both laybys

Key plant and equipment to be used on site includes a paver, planer, 3CX JCB, two rollers, bowser, road sweeper and emulsion sprayer. A welfare unit with a generator will be established on site within traffic management (TM), and heavy good vehicles (HGVs) will be required for the transport of materials and waste.

The resurfacing is as follows:

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

The civil works is as follows:

- Set up TM and mark out site
- Excavate area for footpath
- Install new kerbing around footpath
- Reinstate footpath
- Remove TM and open road

The works are scheduled for delivery within the 2026/27 Financial Year. The resurfacing works are currently set to commence on 16/07/2026 for a duration of 5 nights between the working hours of 20:00 – 08:00. For the civil works the start date is still to be confirmed; however, the duration of the civil works is set to be 3 days, between the working hours of 07:00 – 17:00.

TM will consist of a lane closure with a convoy system and two-way temporary traffic lights (TTLs). Control of junctions will be introduced where required.

Location

The scheme is located on the A9 trunk road within the Highland Council Administrative area, between the following National Grid References (NGRs): Start: NN 75124 99056; End: NN 76031 99713. The surrounding habitat is primarily agricultural fields with the River Spey located approximately 45m northeast of the scheme at the nearest point (Figure 1).

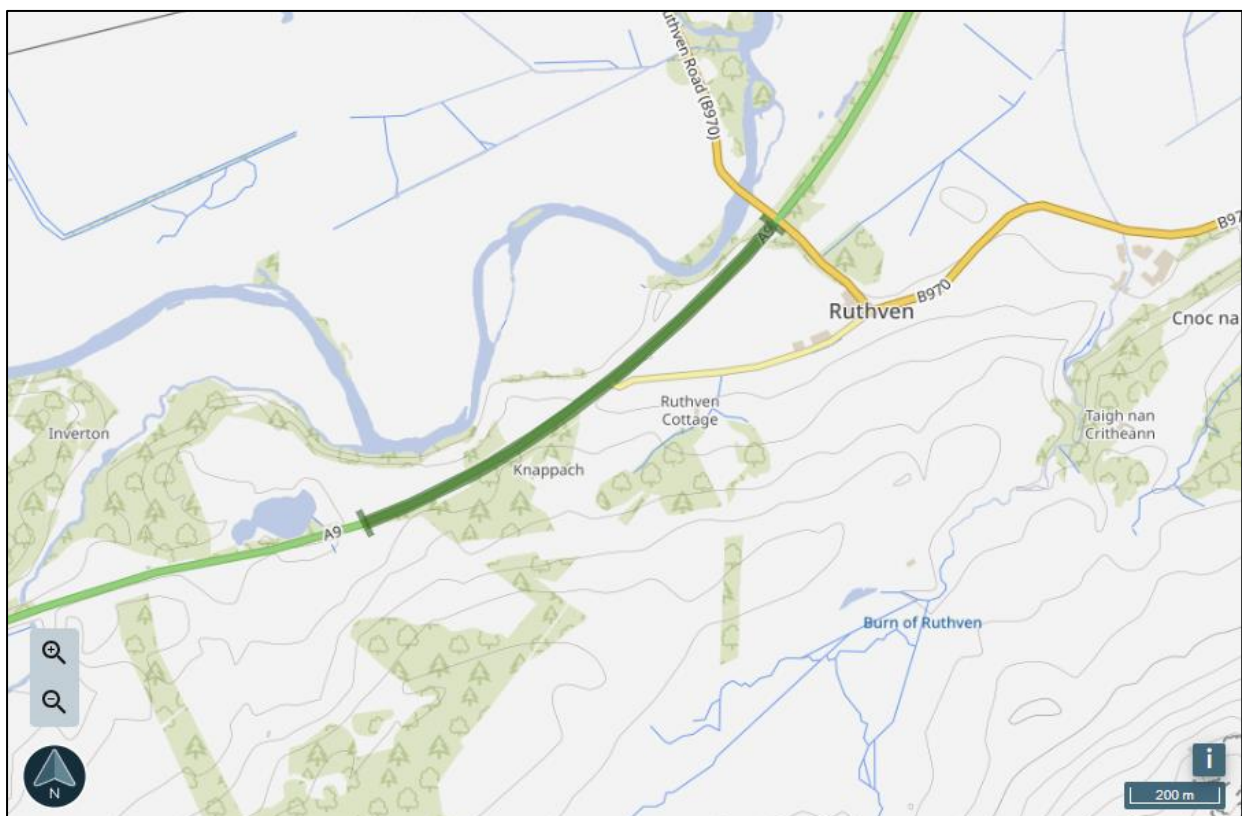


Figure 1: Scheme Extents

Description of local environment

Air quality

There are no Air Quality Management Areas (AQMA) ([Air Quality Management Areas](#)) or Air Quality Monitoring Stations ([Scottish Air Quality](#)) within 10km of the scheme. Sites monitoring air quality in the wider area record bandings to be within the 'green zone' ([Low Index 1-3](#)) indicating good baseline air quality.

There are no sites (which record air pollutant releases) listed on the [Scottish Pollution Release Inventory](#) (SPRI) within 10km of the scheme.

Baseline air quality is likely to be primarily influenced by traffic travelling along the A9 and A86, with secondary sources largely associated with the railway to the south, activities in Kingussie to the west, and surrounding agricultural and forestry operations.

Cultural heritage

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

A search through the cultural heritage tool [Pastmap](#) revealed that a large number of features of lesser cultural value such as Historical Environment Records (HERs) and National Records of the Historic Environment (NRHEs) were identified within 300m of the scheme.

The closest features to the scheme include a HER township and enclosure (Knappach; Reference MHG2581) located approximately 25m south of the scheme and an NRHE road bridge (Ruthven Bridge; Reference 111756) located approximately 80m northwest of the scheme.

Works will be restricted to previously engineered ground within the A9 trunk road boundary and any features with cultural heritage value are likely to have been removed during the construction of the A9. Therefore, this receptor has no constraints (as identified in Environmental Baseline) that are likely to be impacted by the proposed works and as such, 'cultural heritage' is scoped out and is not discussed further within this RoD.

Landscape and visual effects

The scheme lies within the Cairngorms National Park (CNP) (Site code: [8623](#)) ([SiteLink](#)), which has 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 scheme does not lie within any National Scenic Areas (NSA), National Nature Reserves (NNR) or Local Nature Reserves (LNR) ([SiteLink](#)).

The entirety of the scheme is located within an area classed as 'Motorway and Major Roads' which is defined as motorways, service stations and park-and-rides. ([HLAmap](#)).

The scheme is located within the Landscape Character Type ([LCT](#)) 127 'Upland Strath' which has the following key characteristics:

- 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.

The A9 Trunk Road, within the North West, connects Perth with Thurso. It commences immediately north of Inveralmond Roundabout in Perth leading generally northwards for a distance of 357 kilometres to its junction with an unclassified road leading to Holborn Head lighthouse at Scrabster. The A9 is a mixture of single carriageway, '2+1' carriageway and stretches of two-lane dual carriageway.

Biodiversity

The scheme lies approximately 45m southeast of several designated sites (listed below):

- River Spey Special Area of Conservation (SAC) (Site code: [8365](#))
- Insh Marshes SAC (Site code: [8274](#)):
- River Spey – Insh Marshes Special Protection Area (SPA) (Site code: [8571](#))
- River Spey – Insh Marshes RAMSAR (Site code: [8452](#))

Due to the proximity of the works to the River Spey SAC, River Spey – Insh Marshes RAMSAR/SPA and Insh Marshes SAC, the scheme holds ecological connectivity to the noted European Sites. The 'Roads and Bridges Maintenance Activities within the Drumochter Hills, River Spey and River Spey - Insh Marshes European Sites, Highland Region Habitats Regulations Appraisal (HRA)' has been completed for the noted European Sites which covers a variety of maintenance activities, including resurfacing schemes. Further details are provided in the 'Biodiversity' section below.

The River Spey – Insh Marshes Site of Special Scientific Interest (SSSI) (Site code: [1364](#)) lies approximately 45m northwest of the scheme, overlapping with the designated areas listed above.

Numerous records of bird species were also returned within 2km of the works under the same search criteria. Under the Wildlife and Countryside Act 1981 (as amended) (WCA), all wild birds and their nests are protected with some birds, particularly those listed on Schedule 1 of the Act, receiving additional protection.

Under the same search criteria, the NBN Atlas holds the following records of invasive and injurious weeds:

- Broad-leaved dock (*Rumex obtusifolius*)
- Common ragwort (*Jacobaea vulgaris*)
- Rosebay willowherb (*Chamaenerion augustifolium*)

A search on the Transport Scotland Asset Management Performance System (AMPS) holds no records of any injurious weeds or Invasive Non-Native Species (INNS).

The scheme extent is located within in a semi-rural area, with agricultural land and woodland surrounding the scheme with the River Spey lying approximately 45m northwest of the scheme.

An unnamed area of Ancient (of semi-natural origin) woodland (Wood ID: 17585) listed on the Ancient Woodland Inventory ([AWI](#)) lies directly adjacent to either side of the scheme.

There are no areas listed under the Tree Preservation Order ([TPO](#)) within 300m of the scheme.

An ecological constraints survey (ECS) was completed by BEAR Scotland's Environmental Team on 27/05/2026.

Geology and soils

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

Bedrock Geology within the scheme is listed as 'Loch Laggan Psammite Formation-Micaceous psammite' which is rocks with a sedimentary origin ([BGS Geology Viewer](#)).

Superficial deposits within the scheme are listed as 'Alluvium-Clay, silt, sand and gravel' and 'Glaciofluvial sheet deposits-Sand, gravel and boulders' ([BGS Geology Viewer](#)).

Component soils within the scheme are listed as alluvial soils ([Scotland's Soils](#)).

Soils within the scheme extent are recorded as being of Carbon and Peatland 'Class 0', which refers to mineral soils where peatland habitats are not typically found on such soils ([Scotland's Peatland Map](#)).

Works will be restricted to previously engineered ground within the A9 trunk road boundary. Therefore, this receptor has no constraints (as identified in Environmental Baseline) that are likely to be impacted by the proposed works and as such, 'geology and soils' is scoped out and is not discussed further within this RoD.

Material assets and waste

The resurfacing and civil works are necessary to address surface and structural deterioration of the A9 trunk road.

Materials used will consist of:

- Asphaltic material

- Bituminous emulsion bond coat
- Milled in road studs
- Thermoplastic road marking paint
- Hazard Markers
- Concrete
- Edging Kerbs
- Tactile Paving
- Sub base

A site compound is not required for this scheme.

Wastes are anticipated to be primarily planings from the carriageway surface course which will be reused off-site to improve local farm roads.).

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

Noise and vibration

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

Noise modelled data from Environmental Noise Directive (END) Round 4 Noise Mapping Indicates 24 hour annual average noise level (Lden) between 65 and 75dB on the A9 at the scheme location ([Scotland's Noise](#)).

Given the semi-rural nature of the area, it is considered likely that the baseline noise levels will be low, with noise levels mainly influenced by vehicles travelling along the trunk road with secondary sources deriving from agricultural activities.

Population and human health

There are three residential properties and one commercial property located within 300m of the scheme, the nearest of which is situated approximately 65m southeast of the scheme.

Within the scheme extent, there are two laybys, including one on the northbound carriageway and one on the southbound carriageway.

No other public receptors, such as street lighting, public footpaths, or bus stops, etc., are present within the scheme extent.

Three overlapping routes listed on [WalkHighlands](#) lie approximately 20m northeast of the scheme:

- 'Speyside Way 8: Kinraig to Newtonmore'
- 'Newtonmore to Kinraig'
- 'Glen Feshie to Kingussie'

There are no [Core Paths](#) within 300m of the scheme extent.

Route 7 listed on the National Cycle Network ([NCN](#)) lies approximately 20m northeast of the scheme.

A traffic vehicle counter that lies approximately 1.2km north of the scheme, 'A9 Kingussie' (Site ID: 0000JTC00312), recorded an Average Daily Traffic (ADT) count of 8,930 vehicles, 26.4% of which were Heavy Goods Vehicles (HGVs) in 2025.

Road drainage and the water environment

The scheme is underpinned by the Upper Spey Sand and Gravel groundwater (ID: 150814), in the Scotland river basin district. It is 252.4 square kilometres in area and was classified by Scottish Environment Protection Agency (SEPA) under the Water Framework Directive 2000/60/EC (WFD) as having an overall status of 'good' in 2024 ([Water Classification Hub](#)).

The River Spey - Spey Dam to Loch Insh river (ID: 23142), in the River Spey catchment of the Scotland river basin district lies 45m northwest of the scheme at the nearest point and was given an overall status of 'Moderate ecological potential' in 2024 by SEPA.

Milton Burn (ID: 23143), in the River Spey catchment of the Scotland river basin district. The main stem is approximately 19.6 kilometres in length and lies approximately 170m northeast of the scheme. It was given an overall status of 'Good' in 2024 by SEPA.

The Lochan an Tairbh (Unclassified by SEPA) lies approximately 95m northeast of the scheme.

Several locations throughout the scheme are identified as having a high likelihood of flooding (10% chance) due to surface water and minor watercourse flooding within 300m of the scheme extent. The nearest of which is located directly adjacent to the scheme. ([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. 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 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

The scheme is located within the CNP. The CNP Authority has been notified of the works and did not recommend any further mitigation measures.

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 A9, and construction works are programmed to be of short duration. As such, the visual impact of the works will be minimal.

Upon the completion of the works, no significant residual impacts are anticipated. When complete, the visual appearance will remain largely unaffected, with a renewed road surface being the only discernible change, and as such, any visible change is considered to be negligible.

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 River Spey SAC, Insh Marshes SAC, and River Spey – Insh Marshes SPA/RMASAR lie approximately 45m northwest of the scheme extents at the nearest point. Due to the proximity of the works to the River Spey SAC, River Spey – Insh Marshes RAMSAR/SPA and Insh Marshes SAC, the scheme holds ecological connectivity to the noted European Sites. The ‘Roads and Bridges Maintenance Activities within the Drumochter Hills, River Spey and River Spey - Insh Marshes European Sites, Highland Region Habitats Regulations Appraisal (HRA)’ has been completed for the noted European Sites which covers a variety of maintenance activities, including resurfacing schemes.

No Likely Significant effects (LSE) were identified on the designated sites based on the following reasons:

- The works are restricted to existing engineered ground within the A9 trunk road, and no works will take place within the boundaries of the designated areas
- No in-stream works are required
- There is no hydrological connectivity between the proposed works and the designated areas
- Standard good practice measures to prevent pollution will be implemented during the construction phase
- The area surrounding the River Spey has a high abundance of intervening topography which provided sufficient acoustic and visual screening.
- No resting places were recorded within disturbance distance of works.

Activities undertaken on site could potentially have a temporary adverse impact on biodiversity that may be present 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 A9 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 A9 and the scheme is of short duration and will be undertaken on a rolling programme. The potential for significant species disturbance within the area of likely construction disturbance is therefore considered to be low.

All works will be restricted to the A9 carriageway surface and will not entail any in-stream works or vegetation clearance. Excavation is required for the civil works, however, the soil will be re-used on site and placed behind the new footpath. Additionally, there were no INNS noted on site and the scheme does not require accommodation works or locally gained resources, and there is no requirement to

import topsoil. As such, there is limited potential to spread or invasive non-native species (INNS) of plant, invasive native perennials, or injurious flowering plant species, such as curled dock, should these be present in adjacent verges.

Pollution controls and good practice measures to reduce impacts of works on the local environment will be detailed in the Site Environment Management Plan (SEMP) and adhered to on site. Therefore, with the following mitigation measures in place in addition to those mentioned above, 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 any protected species, throughout the works period. Should a protected species be noted during construction, works will temporarily halt until the species has sufficiently moved on. Any sightings of protected species will be reported to the BEAR Scotland Environmental Team.
- If 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.
- Personnel will remain vigilant for the presence of INNS or injurious weeds in road verges throughout the works period. Should any INNS be identified in working areas, works will be restricted to a 7m buffer of any growth where reasonably practicable.
- 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.
- Any artificial lighting used during periods of low light levels will be directional and will avoid spilling into sensitive areas and nearby habitat where possible.

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 will 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 treated in line with LRWA 3 and be recycled in line with SEPA's WAS-G-DEF-05 Guidance for 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 will be produced and filed appropriately in accordance with the Code of Practice (as made under Section 34 of Environmental Protection Act 1990 as amended).
- Re-use and recycling of waste will be encouraged, and the subcontractor will be required to fully outline their plans and provide documentary evidence for waste arising from the works (e.g., waste carrier's licence, transfer notes, and waste exemption certificates).

- Staff will be informed that littering will not be tolerated. Staff will be encouraged to collect any litter seen on site.
- Where applicable, all temporary signage will be removed from site on completion of the works.
- Soil that is excavated on site will be re-used and spread behind the new footpath

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 on a rolling programme during day and nighttime working hours. 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 that are likely to be 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 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.
- 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.
- As the resurfacing works are taking place within nighttime hours the Highland council Environmental Health Officer (EHO) will be notified of the works.
- 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.

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. The A9 will not be fully closed during the works. Although a lane closure with TTL's will take place during the day for the civils works, the ADT on this area of the A9 is relatively low; therefore, no significant congestion issues are noted during the proposed construction hours. Furthermore, the civils works will improve road safety and pedestrian facilities at the laybys. In the event of local access restrictions to residential properties, access will be granted as requested.

There are three residential properties and one commercial property located within 300m of the scheme, the nearest of which is situated approximately 65m to the southeast of the scheme, with minimal screening present. As such, there is potential for disturbance from noise and vibration. However, 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.

- Any changes of schedule (e.g., change from nighttime works to daytime works) will be communicated to local residents and public transport operators 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.
- Local access will be granted as required.
- Appropriate provisions / measures will 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 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.

However, 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.
- 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.

- Standard working practices to comply with the Water Activities Environmental Authorisations (Scotland) Regulations (EASR) 2018 for works near water will be detailed in the SEMP and adhered to on site.
- 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 will be removed, double bagged and taken off site as special waste.
- Generators and static plant may have the potential to leak fuel and/or other hydrocarbons and will have bunding with a capacity of 110%. If these are not bunded then drip trays will also be supplied beneath the equipment with a capacity of 110%.

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 as a result of 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.
- Warm-mix asphalt will be used as standard.
- All mitigation measures detailed within 'Air Quality' and 'Material Assets and Waste' will be adhered to.
- 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 disposed at local facilities, 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

Numerous areas within and adjacent to the scheme have a high likelihood (10% chance each year) of flooding due to surface water and small watercourses flooding. 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 A9 within the scheme extents upon completion of the works.

Works are restricted to areas of engineered ground of the A9 trunk road and TM will be designed in line with existing guidance. TM will consist of a lane closure with convoy and a Two-Way Temporary Traffic Lights (TTLs) with control of junctions where required. 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.

The works will not result in any change in vulnerability of the A9 carriageway to risk, or in severity of major accidents/disasters that would impact on the environment. The resurfacing and civil works of the A9 carriageway is designed to protect users of the A9 trunk road and will have a beneficial impact on road users.

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

Assessment of cumulative effects

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

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

A search of the Scottish Road Works Commissioner website ([Scottish Road Works Online](#)) identified no road works within 300m of the scheme.

BEAR Scotland programme all of its 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.

The HRA assessment concluded that the works would not result in LSE on the qualifying features of the River Spey SAC, Insh Marshes SAC and River Spay – Insh Marshes SPA/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 wholly within the CNP 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 0.86ha along a 1.127km stretch of the A9 trunk road.
- The works will be temporary, transient, localised and completed within night-time hours for the resurfacing and daytime hours for the civil works.

- Measures will be in place to ensure appropriate removal and disposal of waste.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- Removal of the carriageway defects will provide this part of the A9 carriageway with another life cycle and significantly improve the ride quality which will result in safer conditions for road users.
- The works will include the resurfacing and civil works of the A9 by milling out and replacing of up to 100mm of bituminous material and reinstatement of road markings for the resurfacing; and replacement of bollards and installation of a new footpath in both laybys for the civil works.

Location of the scheme:

- The works will be carried out within the existing A9 trunk road boundary and as such, no land take will be required.
- The HRA concluded that works will not result in LSE on the qualifying features of the River Spey SAC, Insh Marshes SAC and River Spay – Insh Marshes SPA/RAMSAR.
- CNP Authority has been notified of the works and no further mitigation measures were recommended.

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.
- 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 human receptors during the operational phase.
- As the works will be limited to the like-for-like resurfacing and minor civil works, there will be no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- 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.

- The Highland Council EHO will be notified of the works due to the nighttime programming for the resurfacing works.
- In the event that INNS presence is located on site, measures to prevent potential INNS spread will be implemented.
- No in-combination effects have been identified.

References of supporting documentation

'Roads and Bridges Maintenance Activities within the Drumochter Hills, River Spey and River Spey - Insh Marshes European Sites, Highland Region'

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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