



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

transport.gov.scot

Environmental Impact Assessment Record of Determination

A96 Darnaway Junction - North of Brodie (Resurfacing)

Contents

Project Details	4
Description.....	4
Location	4
Description of local environment.....	6
Air quality	6
Cultural heritage	6
Landscape and visual effects	7
Landscape.....	7
Visual	7
Biodiversity	7
Protected areas.....	7
Field survey.....	8
Invasive plants	8
Geology and soils	8
Geology.....	8
Soils	8
Material assets and waste	8
Materials.....	8
Wastes	9
Noise and vibration	9
Population and human health	10
Road drainage and the water environment.....	10
Surface water	10
Groundwater	10
Flood risk.....	11
Climate	11
Carbon Goals	11
Description of main environmental impacts and proposed mitigation	13
Air quality	13
Cultural heritage	14
Landscape and visual effects	14
Biodiversity	15
Material assets and waste	16

Noise and vibration	17
Population and human health	18
Road drainage and the water environment.....	18
Climate	19
Vulnerability of the project to risks	20
Assessment cumulative effects.....	20
Assessments of the environmental effects	20
Statement of case in support of a Determination that a statutory EIA is not required.....	21
Characteristics of the scheme:	21
Location of the scheme:	21
Characteristics of potential impacts of the scheme:	22
Annex A.....	23

Project Details

Description

Resurfacing works are required to maintain the safety and integrity of a section of the A96 carriageway between Nairn and Forres. The scheme traverses the local authority border between Highland and Moray. The works are required as the carriageway is currently displaying various structural and surface defects including potholes, longitudinal cracking and fretting.

This section of the A96 is a single carriageway, with an additional crawler lane present for approximately half of the scheme's length. The scheme is 1.24 kilometres long, with an area of approximately 1.3 hectares.

Construction activities and the associated plant and machinery required are as follows:

- Implementation of Traffic Management (TM) and marking out site (TM plant);
- Removal of existing surfacing and milling to agreed depths (planer, wagon, lorries);
- Resurfacing to the existing road levels using TS2010 aggregate, AC binder and AC base (paver, roller);
- Reinstatement of road markings, linings, and studs (lorries/wagons and plant); and,
- Removal of TM.

The proposed construction is programmed to be undertaken and completed within the 2025-2026 financial year, lasting approximately two weeks. The works will be undertaken during night-time working hours.

TM will entail an overnight convoy system.

Location

The scheme is located between Nairn and Forres at the following National Grid References (NGRs) (Figure 1):

- Scheme start: NH 95920 56413
- Scheme end: NH 97143 56723

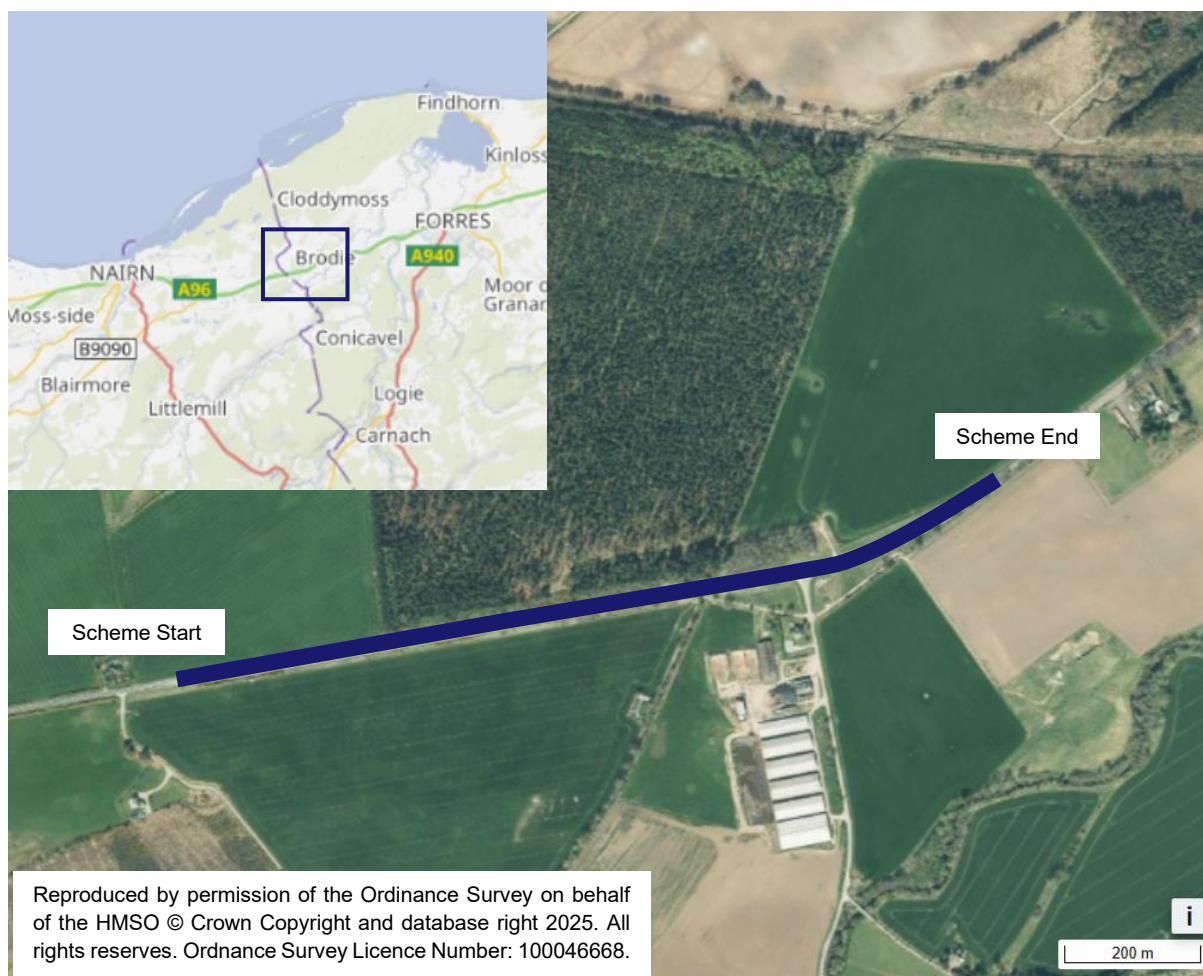


Figure 1. Scheme Location Map.

Description of local environment

Air quality

The scheme extents cover a largely rural stretch of the A96 carriageway between Nairn and Forres, located within the Moray and Highland council areas. Baseline air quality surrounding the scheme extents is likely to be influenced primarily by traffic flow along the A96, with secondary sources from agricultural activities. [Annual Average Daily Flow](#) (AADF) in 2024 along the A96, approximately 950m west of the scheme extents (site number: [80007](#)) was counted at 10,827 total vehicles, with 1,012 (9.3%) Heavy Goods Vehicles (HGVs).

Highland and Moray do not currently have any declared [Air Quality Management Areas](#) (AQMAs). There are no real-time air quality monitoring stations ([Air Quality in Scotland](#)) or any sites on the [Scottish Pollutant Release Inventory \(SPRI\)](#) located within 1km of the scheme extents.

There are four air quality-sensitive receptors located within 200m of the scheme extents, including agricultural and residential properties. The closest is a residential receptor located 15m from the scheme extents at NH 95844 56430.

Cultural heritage

A desktop study has been undertaken using ([Historic Scotland Designations](#) and [PastMap](#)), where an asset has been listed more than once, its highest designation has been recorded. No statutory or non-statutory cultural heritage features are located within the scheme footprint.

One statutory feature is located within 300m:

- Feddan Farmhouse, a Category B Listed Building (Reference LB2272) located 75m south at NH 96834 56492.

Three non-statutory features are located within 200m:

- Blinkbonny, recorded under the Historic Environment Record (HER) (Reference NH95NE0077) located 175m east at NH 97291 56821.
- Dyke And Moy Parish, HER (Reference NH95NE006) located 55m north at 296012, 856490.
- Hardmuir Toll, HER (Reference MHG28170) located 80m west at NH 95839 56405.

Landscape and visual effects

Landscape

The scheme lies within a predominantly rural setting, characterised by woodland plantation and rectilinear fields and farms ([HLAMap](#)). Hardmuir Wood, a long-established (of plantation origin) woodland designated under the Ancient Woodland Inventory (AWI) is located approximately 5m north of the scheme extents ([Scotland's Environment Map](#)). No other landscape designations, including [Tree Preservation Orders](#) (TPOs) are present within 200m.

The scheme falls within the Coastal Farmlands - Moray & Nairn Lowland Hill Ranges [Landscape Character Type](#) (LCT 284), characterised by flat to gently undulating farmland, woodland and rural roads.

Visual

There are two constant visual receptors identified, both residential properties. The closest lies approximately 15m from the carriageway and is partially screened by vegetation. The other, is located 80m south, with a side-on view and partial sight of the works. Transient visual receptors include road users (motorists, public transport users) travelling along the A96, who will experience brief and intermittent views of the scheme.

Biodiversity

Protected areas

There are no local, national or European designated biodiversity sites within 2km of the scheme, including Sites of Special Scientific Interest (SSSIs), Local or National Nature Reserves, Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites. However, there is potential hydrological connectivity to the Moray and Nairn Coast SPA (EU Site Code UK9001625) and Ramsar (EU Site Code UK13048) via the Burn of Feddan, approximately 11km downstream ([Sitelink](#)).

A Habitats Regulations Appraisal (HRA) will be undertaken prior to the works due to the potential connectivity.

Hardmuir Wood, listed on the AWI is located approximately 5m north of the scheme extents ([Scotland's Environment Map](#)). No [TPOs](#) are located within 200m of the scheme extents.

Field survey

An ecological field survey has been scoped out by a qualified ecologist due to the transient nature of the works and their containment within the trunk road boundary, indicating a low likelihood of significant ecological impact.

Invasive plants

NBN Atlas and Transport Scotland's Asset Management Performance System (AMPS) has not recorded any injurious weeds or invasive non-native species (INNS) within 500m of the scheme extents.

Geology and soils

Geology

There are no Geological Conservation Review Sites (GCRS), or geological SSSIs located within 300m ([Sitelink](#)).

Bedrock geology comprises sedimentary sandstone of the Kingsteps Sandstone Formation, formed between 382.7 and 358.9 million years ago (Mya) ([British Geological Survey Geology Viewer](#)):

Superficial deposits consist of sedimentary sand and gravel from Glaciofluvial Sheet Deposits, formed during the Quaternary period between 116 and 11.8 thousand years ago.

Soils

The local soil type within scheme extents is recorded as humus-iron podzols ([Scotland's Soils](#)).

As all works will be contained to the engineered layers of the existing carriageway, with limited potential for disturbance to geology or soils, this section has been scoped out, requiring no further assessment.

Material assets and waste

Materials

Materials required are as follows:

- Surfacing, binder and base materials (TS2010 aggregate, AC binder, AC base);
- Road marking materials/paint;
- Vehicle fuel;
- Oil; and
- Lubricant.

Materials will be obtained from recycled, secondary, or re-used origin as far as practicable within the design specifications to reduce natural resource depletion and associated emissions. For example, the binder and base courses used for resurfacing will contain a percentage of recycled material.

Wastes

Wastes are anticipated to be carriageway planings which will primarily be recycled at a licenced facility, thereby reducing the amount sent to landfill and promoting circular economy practices. No coal tar was recorded from coring investigations.

A Site Waste Management Plan (SWMP) will be prepared prior to the works which will detail how resource use and waste arising from the works will be managed throughout the scheme. This is required due to the scheme exceeding £350,000 in value and will help control and reduce the amount of waste produced, resulting in less landfilled waste.

Noise and vibration

The scheme is located in a predominantly rural area, where baseline noise levels are primarily influenced by traffic on the A96, with secondary sources from agricultural activity. For AADF details, please refer to the Air Quality section above.

Modelled day-evening-night (L_{den}) noise levels along the scheme extents range from >75dB to 80dB and night noise levels (L_{night}) for the period 23:00-07:00 range from >65dB to 70dB. At the closest receptor, baseline noise levels are recorded between >60-65dB. L_{den} is a noise indicator for overall annoyance based upon annual average A-weighted long-term sound over 24 hours, with a 5 dB(A) penalty for evening noise (19:00-23:00) and a 10 dB(A) penalty for night-time noise (23:00-07:00) ([Scotland's Noise Map](#)).

There are six noise-sensitive receptors (NSRs) comprising agricultural and residential properties located within 300m. The closest is a residential receptor located 15m from the scheme extents at NH 95844 56430.

The works are not located within a Candidate Noise Management Area (CNMA) as defined by the [Transportation Noise Action Plan](#) (Road Maps) (TNAP).

Population and human health

There are five residential receptors located within 300m. The closest is a residential receptor located 15m from the scheme extents at NH 95844 56430.

There are no community facilities (recreational, educational, medical or religious) located within 300m. Furthermore, the resurfacing works will be fully contained within the carriageway boundary, requiring no land take from residential, agricultural, business, or community land. Residential and local road access is located within the scheme extents.

There are no [Core Paths](#) within or visible from the scheme extents, and no provision for walkers, cyclists, or horse-riders (WCH). No laybys, lighting points or bus stops are located along the scheme extents.

Road drainage and the water environment

Surface water

Road drainage along the scheme extents comprises filter drains and top and side-entry gullies. These are present throughout the southbound verge extents, and partially along the northbound verge.

A statutory river, the Muckle Burn - Lethen to Speedie Burn (ID 20317), is located 345m south of the scheme extents. This watercourse is designated under the Water Framework Directive (WFD) as exhibiting an overall 'High' status in 2023 (Scottish Environment Protection Agency ([SEPA](#)) [Water Classification Hub](#)). The Burn of Fedden, an unclassified watercourse culverts the A96 within the scheme extents at approximately NH 96707 56552.

Groundwater

The scheme lies within the Culbin Forest Coastal groundwater body (ID 150801) which was classified as having a good overall condition under the WFD in 2023 ([SEPA Water Classification Hub](#)).

The scheme is not located within a Scottish Government [Nitrate Vulnerable Zone](#) (NVZ).

Flood risk

The scheme extents are not identified at risk of pluvial flooding, however, the Burn of Fedden, and adjacent carriageway are identified at a high (10%) risk of fluvial flooding ([SEPA's Flood Map](#)).

Climate

Carbon Goals

The Climate Change (Scotland) Act 2009, as amended by the [Scottish Carbon Budgets Amendment Regulations 2025](#) sets out the statutory framework for reducing greenhouse gas (GHG) emissions in Scotland. The prior annual and interim targets have been replaced by five-year carbon budgets, which sets limits on the amount of GHGs that can be emitted in Scotland.

The proposed carbon budgets are aligned with advice from the UK Climate Change Committee (CCC) and calculated in accordance with the 2009 Act. The 2025 Regulations define the baseline years for emissions reductions as 1990 for greenhouse gases including carbon dioxide, methane, and nitrous oxide, and 1995 for others such as hydrofluorocarbons, perfluorocarbons, and sulphur hexafluoride (as set out in Section 11 of the Act). The budgets are as follows:

- 2026 - 2030: Average emissions to be 57% lower than baseline.
- 2031 - 2035: Average emissions to be 69% lower than baseline.
- 2036 - 2040: Average emissions to be 80% lower than baseline
- 2041 - 2045: Average emissions to be 94% lower than baseline.

These budgets are legally binding and will be supported by a new Climate Change Plan, which will outline the specific policies and actions required to meet the targets.

Transport Scotland remains committed to reducing carbon across Scotland's transport network, this commitment is being enacted through the Mission Zero for Transport. Transport is the largest contributor to harmful climate emissions in Scotland, and Transport Scotland are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

Amey's Company Wide Carbon Goal is to achieve Scope 1 and 2 net-zero carbon emissions, with a minimum of 80% absolute reduction on our emissions by 2035. Amey is aiming to be fully net-zero, including Scope 3 emissions, by 2040.

Amey are working towards a contractual commitment to have carbon neutral depots on the North East Network Management Contract (NE NMC) network by 2028. Amey have set carbon goals for the NE NMC contract as a whole to be net-zero carbon by 2032.

Policies and Plans

This Record of Determination (RoD) has been undertaken in accordance with Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017 (RSA EIA Regulations) along with Transport Scotland's Environmental Impact Assessment Guidance ([Guidance – Environmental Impact Assessments for road projects \(transport.gov.scot\)](#)). Relevant guidance, policies and plans accompanied with the Design Manual for Roads and Bridges ([Design Manual for Roads and Bridges \(DMRB\)](#)) LA 101 and LA 104 were used to form this assessment.

Description of main environmental impacts and proposed mitigation

Air quality

Construction activities may temporarily affect local air quality due to dust and particulate emissions, particularly during milling of the carriageway surface. Increased HGV and construction plant presence may also contribute to short-term emissions. TM will likely cause congestion and elevated traffic-related emissions during the works.

However, there are no changes to traffic flow characteristics post-construction (composition, speed or flows) and any air quality impacts will be short-term.

Mitigation measures will follow best practice guidance from the Institute of Air Quality Management (IAQM), from the [‘assessment of dust from demolition and construction \(January 2024\)’](#) including:

- Site layout will be planned (including plant and vehicles) so that machinery and dust causing activities are located away from receptors, as far as reasonably practicable;
- Materials that have a potential to produce dust, such as planings, will be removed from site as soon as possible, unless being re-used on site (cover or fence stockpiles to prevent wind whipping);
- Drop heights from conveyors and other loading or handling equipment will be minimised;
- Vehicles entering and leaving the work area will be covered/sheeted to prevent escape of materials during transport;
- Equipment will be readily available on site to clean any dry spillages and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods.

The following additional mitigation measures will be implemented:

- When not in use, plant and vehicles will be switched off and there will be no idling vehicles.
- All plant and fuel-requiring equipment used during construction will be well maintained to minimise emissions.

No significant air quality effects are anticipated. Therefore, in line with DMRB Guidance document LA 105: Air Quality no further assessment is required.

Cultural heritage

No designated cultural heritage features are located within the scheme extents, and no land acquisition is required. All works are confined to the existing carriageway surface, with no significant vibration effects anticipated due to the nature and scale of the works. As such, no impacts are anticipated to the listed building located 75m from the scheme.

Similarly, no impacts are anticipated to the identified HERs located over 50m away given their nature and distance from the works. The original construction of the A96 likely removed any archaeological remains, and the potential for unknown archaeology is considered low.

The following mitigation measures will be in place:

- Plant and machinery will be stored within the carriageway boundary where practicable.
- Any access beyond the carriageway will be minimised and ideally limited to foot access.

No significant effects are anticipated to cultural heritage. Therefore, in line with DMRB Guidance document LA 106: Cultural Heritage, no further assessment is required.

Landscape and visual effects

Short-term impacts on landscape character and visual amenity for nearby receptors may occur during construction due to the presence of TM, plant, vehicles and artificial lighting. These effects will be limited as, works will be confined to the existing A96 carriageway, visual receptors are partially screened, and the works are scheduled to occur overnight which further reduces visibility and disruption.

No residual landscape or visual impacts are anticipated post-construction, with the improved road surface being the only visible change.

The following mitigation measures will be in place:

- The site will be kept clean and tidy throughout all stages of the works, with appropriate storage of materials, equipment, plant and waste.
- Works will avoid encroaching on land and areas where work is not required or not permitted, including for storage and parking.

No significant effects are anticipated upon the landscape and visual effects. Therefore, in line with DMRB Guidance document LA 107: Landscape and Visual Effects no further assessment is required.

Biodiversity

Construction activities have the potential to cause temporary adverse impacts on biodiversity due to vehicle presence, noise and artificial site lighting during the night-time works. These may disturb protected species within the scheme surroundings.

No INNS have been recorded within the scheme extents, and with no land-take, site clearance, or imported topsoil required, there is limited risk of introduction or spread of INNS.

There is a potential risk of indirect pollution to aquatic habitats, particularly during milling operations and periods of heavy rainfall (see Road Drainage and the Water Environment section for further details).

Due to the potential hydrological connectivity to European designated sites a HRA will be undertaken prior to the works. No direct impacts are anticipated to the designated sites, as the works are confined to the existing carriageway and the Burn of Feddan is culverted beneath the carriageway.

The following mitigation measures will be in place:

- A 'soft start' procedure with regard to plant, machinery and vehicles will be implemented daily to gradually increase noise levels and minimise disturbance.
- Directional site lighting will be used, aimed away from sensitive ecological features such as adjacent woodland and watercourses.
- Plant, vehicles and materials will be contained to areas of engineered ground and not stored on grass verges as far as reasonably practicable. Any damaged areas will be reinstated post-works.
- If a protected species is encountered, works will be paused and advice sought from Amey's Environmental Team.
- Additional pollution prevention measures are detailed in the Road Drainage and the Water Environment section.

With these mitigation measures in place, no significant effects are predicted for biodiversity. Therefore, in line with DMRB Guidance document LA 108: Biodiversity no further assessment is required.

Material assets and waste

There is potential for resource depletion through the use and transportation of primary materials such as aggregates. However, the use of recycled content in the binder and base courses, and the application of TS2010 surfacing which offers enhanced durability and reduced maintenance requirements (compared with other stone mastic asphalt (SMA) products) helps mitigate long-term resource use.

Potential impacts related to pollution from materials and waste may result if these are not appropriately managed during construction. Therefore, the following regulatory requirements will be adhered to:

- A SWMP will be prepared prior to the works which will detail how resource use and waste will be managed. This will help control and reduce the amount of waste produced, resulting in less landfilled waste.
- The Contractor is responsible for the disposal of road planings, and this will be registered in accordance with a Paragraph 13(a) waste exemption issued by the SEPA, as described in Schedule 3 of the Waste Management Licensing Regulations 2011.
- All waste will be disposed of at SEPA-licensed facilities by carriers with valid waste licences. A waste transfer note (WTN) will be completed every time waste is removed from the site and retained for two years.

The following mitigation measures will be implemented:

- Operators will follow duty of care protocols for the safe handling, storage, and transfer of waste. This includes maintaining proper documentation and the use of licensed carriers.
- Waste will be stored in suitable, covered containers, and segregated at the source where possible.
- The waste hierarchy (Reduce, Reuse, Recycle and Dispose) will be employed throughout the construction works.
- Good materials management methods (e.g., 'just-in-time' delivery) will be used to minimise and prevent the disposal of unused materials.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment.

With best practice mitigation measures in place, no significant effects are predicted for materials and wastes. Therefore, in line with DMRB Guidance document LA 110: Material Assets and Waste no further assessment is required.

Noise and vibration

Construction activities, particularly milling and the use of machinery such as planers and construction vehicles may cause temporary noise and vibration impacts. These are not expected to significantly exceed ambient levels or result in notable disturbance to surrounding NSRs. TM may also contribute to short-term increases in noise due to congestion.

Post-construction, no adverse noise or vibration impacts are anticipated. The improved road surface will not change the traffic speed or flows, and ambient noise levels are expected to return to pre-construction conditions.

Mitigation measures follow Best Practicable Means as outlined in British Standard (BS) 5228:2009+A1:2014. The standard provides specific detail on suitable measures for noise control in respect to construction operations; for example:

- Quiet working methods will be employed, including use of the most suitable plant, reasonable hours of working for noisy operations, and economy and speed of operations.
- Effects from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.
- Operations will be sequenced to minimise simultaneous use of high-noise equipment, and a 'soft start' to works will be in place, whereby plant, machinery and vehicles are started sequentially as opposed to simultaneously.
- Plant and machinery will be regularly maintained to prevent excessive noise from worn parts or inefficient operation.
- 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 night-works are to be undertaken, the noisiest works will be undertaken before 23:00 where possible.

The following further mitigation measures related to noise and vibration will be in place:

- Amey's Noise and Vibration environmental briefing will be delivered to all site operatives before works start.
- Moray and Highland Council Environmental Health Teams have been notified of the works due to night-time programming.
- A letter drop will be delivered to NSRs as a pre-construction notification of the works and programming schedule.

With best practice mitigation measures in place, no significant effects on noise and vibration are predicted. Therefore, in line with DMRB Guidance document LA 111: Noise and Vibration no further assessment is required.

Population and human health

Construction activities may cause temporary disruption to road users due to TM, noise, and delays. However, impacts are expected to be minor, as works are scheduled overnight, outside peak traffic hours, and no full road closures or diversions are required.

Residential and local road access points within the scheme extents may be temporarily affected during construction, however, access will be maintained and granted where required. Local residents and road users will be informed of the working schedule, in particular the times and durations of the works through a letter drop and pre-construction notice of the works which include journey planning via social media; and signage on approach to scheme extents. Directional lighting will be used to avoid nuisance to nearby properties during the night-time works.

Moray and Highland Council Environmental Health Teams have been notified of the works. Please see the Landscape and Visual Effects section above for an assessment of the visual impacts to visual receptors.

With best practice mitigation measures in place, no significant effects on population and human health are anticipated. Therefore, in accordance with DMRB Guidance document LA 112: Population and Human Health, no further assessment is required.

Road drainage and the water environment

Construction activities may pose a risk of indirect pollution to the water environment from spills of fuels, oils, chemicals, and road planings entering surface runoff and drainage systems. The Burn of Fedden flows beneath the carriageway, which could act as a pathway for pollutants. However, as it is a contained culvert beneath the carriageway, with no in-water works, abstraction or transfers of water from, or discharges to a waterbody, the potential for a direct pollution incident within a waterbody is unlikely.

The resurfacing works will not increase flood risk as they are limited to the existing impermeable carriageway surface, with no alteration to drainage infrastructure or surface water runoff patterns. No other post construction impacts are anticipated.

The following best practice and pollution prevention and control measures will be in place:

- All operatives will be aware of [SEPA's Guidance for Pollution Prevention](#) (GPP) documents.
- All debris which has the potential to be suspended in surface water and wash into the local water environment will be cleaned from the site both during and following the works.
- All site operatives will be made aware of site spillage response procedures and in the event of a spill all works associated with the spill will stop, and the incident reported. Spill kits will also be available within all site vehicles and spill kits will be replenished onsite when required.
- The Amey control room will be contacted if any pollution incidences occur (24 hours, 7 days a week).
- In the event of a pollution incident, SEPA will be notified without delay.
- Weather reports will be monitored prior to and during the works with all construction activities temporarily halting in the event of adverse weather or a flooding event. The works will only continue when it is deemed safe to do so and runoff/ drainage can be adequately controlled to prevent pollution.
- Where refuelling on site is required, there will be designated refuelling areas, located more than 10m from surface water drainage systems, and within hard standing and bunds to prevent leaks or spills escaping.
- Amey's Water Pollution Prevention environmental briefing will be delivered to all site operatives before works start.

With mitigation measures in place, no significant effects are anticipated on the water environment. Therefore, in line with DMRB Guidance document LA 113: Road drainage and the water environment no further assessment is required.

Climate

Construction activities may result in GHG emissions from vehicles, machinery, material use and production, and transportation. However, given the nature of the scheme, the volume of materials required to be imported on site is low, reducing the overall impact.

The following mitigation measures will be in place:

- Where possible, materials and suppliers will be sourced locally to reduce GHG emissions associated with travel distance.
- Waste disposal will be directed to local licensed facilities where possible.
- Plant, machinery and vehicles will not be left idling when not in use.
- Further actions and considerations for this scheme are detailed in the above Material Assets and Waste section.

With best practice mitigation measures in place, no significant effects are anticipated on Climate. Therefore, in line with DMRB Guidance document LA 114: Climate, no further assessment is required.

Vulnerability of the project to risks

Construction activities are confined to the carriageway boundary, reducing the risk of major accidents or environmental disasters. Furthermore, TM will be designed in line with existing guidance. TM will comprise of a convoy system, with no full road closure or diversion routes required.

Considering the above, the vulnerability of the project to of major accidents and disasters is considered to be low.

Assessment cumulative effects

[Highland Council](#) and [Moray Council's](#) Planning Portals have not identified any extant planning applications surrounding the scheme extents that would result in any in-combination effects.

The [Scottish Road Works Commissioner's Interactive Map](#) has not highlighted any works during the proposed timescale at the location of the works.

Amey's current [programme of works](#) has not identified any other works on the A96 that will be undertaken in conjunction with the scheme. Any future schemes will be programmed to consider already programmed works, and as such any effect (such as from TM arrangements and potential construction noise) will be limited.

During construction, activities associated with the works may have minor temporary disturbances such as changes to noise and vibration and air quality, and potential disturbance to local wildlife.

The scheme is not anticipated to have significant environmental effects having regard to its nature, scale and location. The residual impacts arising from the works can be appropriately mitigated and thus no cumulative or in-combination effects are anticipated.

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 works.

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) exceed 1 hectare in area.

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:

- 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.
- 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, with positive impacts on road users during the operational phase.
- No in combination effects have been identified.

Location of the scheme:

- The scheme has potential hydrological connectivity to European designated sites, however, a HRA will be undertaken prior to the works to determine the potential for LSE. Due to the nature of the works, no significant impacts are anticipated.
- Works are not located within an area designated for its specific landscape character or quality.
- The scheme is not situated in whole, or in part in a sensitive area.

- The scheme will be contained to the existing A96 carriageway surface and as such, no land take or vegetation clearance will be required. In addition, the scheme will not alter any local land uses or habitats.

Characteristics of potential impacts of the scheme:

- Measures will be in place to ensure appropriate removal and disposal of waste.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment.
- Measures to minimise the potential disturbance to protected species will be implemented.
- Any potential impacts of the works are expected to be temporary, non-significant, and limited to the construction phase.
- No in combination effects have been identified.

Annex A

“sensitive area” means any of the following:

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



**TRANSPORT
SCOTLAND**

CÒMHDHAIL ALBA

© Crown copyright 2025

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

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

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

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

Published by Transport Scotland, October 2025

Follow us:



transcotland



@transcotland

transport.gov.scot



Scottish Government
Riaghaltas na h-Alba
gov.scot