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Environmental Impact Assessment Record of Determination

A96 South of Keith Bends (Strategic Road Safety)

Contents

Project Details

Description

Strategic road safety works are required along a stretch of the A96 between Keith and Huntly to reduce collisions and improve road safety along this route. The total length of the scheme is 14.6km, however works will be undertaken at localised sections within the extents.

The scheme entails signage upgrades at 13 locations; upgrading of Vehicle Restraint System (VRS) barriers and terminals at four locations; and the removal and replacement of start and end terminals only at ten locations within the scheme extents.

The following plant and machinery will be required:

- Push/pull machine;
- Hydraulic breaker;
- Excavators;
- Concrete mixer truck;
- Auger drill; and,
- Heavy Goods Vehicles (HGVs).

The proposed construction is programmed to be undertaken and completed within the 2025-26 financial year, commencing in August 2025 for approximately six weeks during overnight shifts. TM will comprise of lane closures with temporary traffic lights in place.

Location

This section of the A96 carriageway is a two-way single carriageway located between Keith, within Moray, and Huntly, within Aberdeenshire at the following National Grid References (NGRs) (Figure 1):

- Scheme start: NJ 43291 49899
- Scheme end: NJ 49910 42573

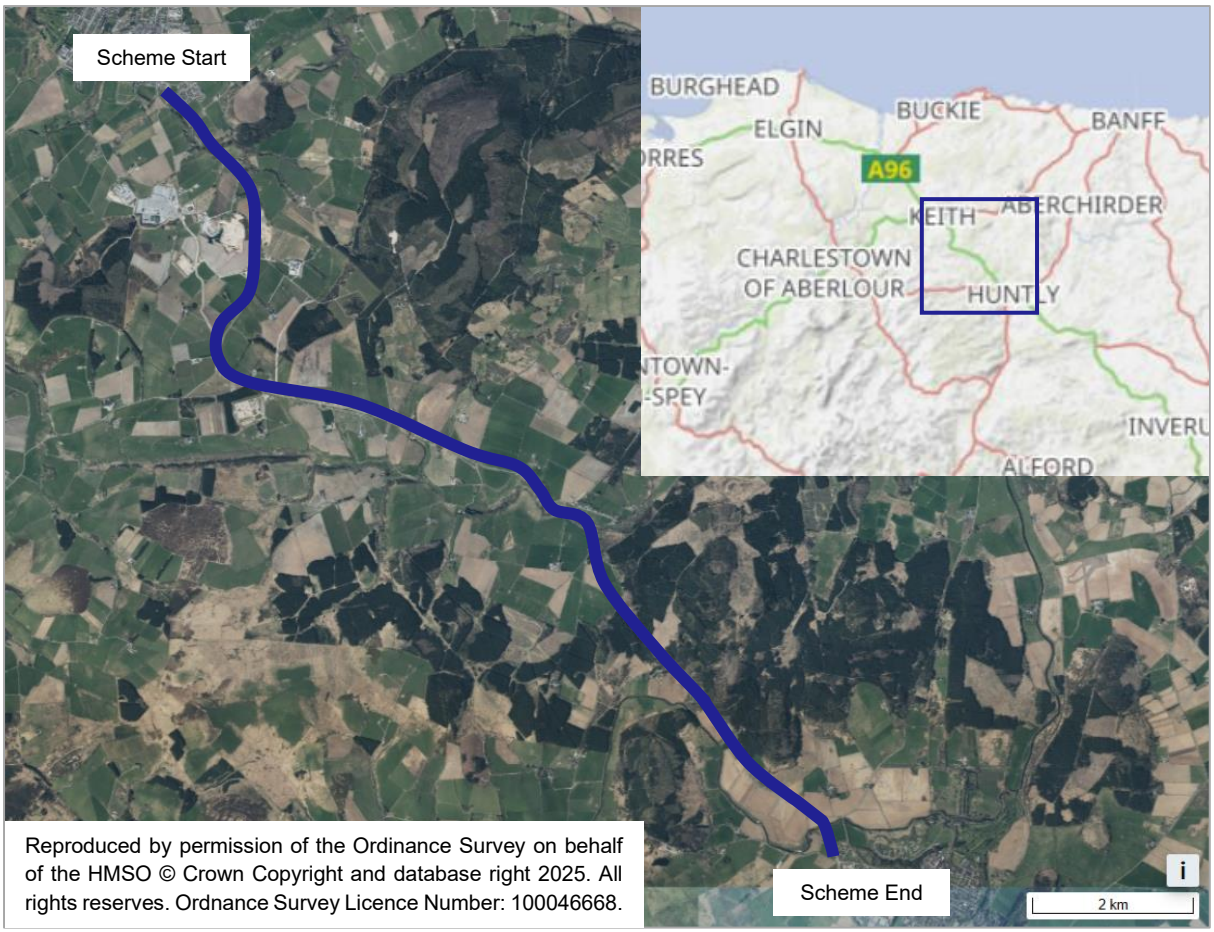

Figure 1. Scheme Location Map.

Description of local environment

Air quality

The scheme extents cover a largely rural area, with baseline air quality likely to be influenced primarily by traffic flow along the A96, with secondary sources from agricultural activities. Annual Average Daily Flow (AADF) in 2023 on the approach to Keith at the northern scheme extents (site number: 74321) was counted at 7,436 total vehicles, with 9% HGVs. AADF towards the southern scheme extents (site number: 40782) was 7,632 vehicles with 9.1% HGVs.

There are approximately 50 air quality sensitive receptors located within 200m of the works locations within the scheme extents. The closest receptor, a residential property is located approximately 50m north of VRS works on the A96 carriageway (at NJ 46212 45833).

Moray and Aberdeenshire Councils have not declared any Air Quality Management Areas (AQMAs).

There are no sites registered on the Scottish Pollutant Release Inventory (SPRI) within 1km of the scheme extents.

Cultural heritage

A desktop study using Historic Scotland Designations has identified five designated cultural heritage features within 300m of the scheme extents:

- Keith Mid Street Conservation Area (reference: CA185) 260m north;
- 43 Moss Street Category B Listed Building (mid-19th century) (reference: LB35657) 260m north;
- 2 Reidhaven Square and Garden Walls Category B Listed Building (1796) (reference: LB35674) 270m north;
- 49, 51 Mid Street Category B Listed Building (1860) (reference: LB35645) 280m north; and
- Reidhaven Square And 50-54 (even numbers) Mid Street Category B Listed Building (early-19th century) (reference: LB35675) 300m north.

No Scheduled Monuments, World Heritage Sites or Inventory Battlefields are recorded within 300m of the scheme extents.

No non-designated features have been identified within 200m of the scheme extents.

Landscape and visual effects

Landscape

The scheme is located within a largely rural area of the A96 carriageway, with the surrounding landscape consisting of grazing and arable agricultural land and sporadic residential and agricultural properties. Semi-mature and mature vegetation lines the carriageway at areas along the entire scheme length.

No trees under a Tree Preservation Order (TPO) are within 500m of the sites.

Two areas of woodland classified under the Ancient Woodland Inventory (AWI) line the A96 carriageway along the scheme extents:

- An unnamed area of long-established of plantation origin woodland (ID: 8,858) (NGR NJ446483); and
- An unnamed area of long-established of plantation origin woodland (ID: 8,853) (NGR NJ437494).

There are no designated or non-designated landscape areas (Garden Designed Landscapes, National Scenic Areas, Local or National Nature Resrves or National Parks) located within 500m, or visible to or from the scheme extents (Sitelink).

The scheme is located within the Farmed Moorland Edge - Aberdeenshire Landscape Character Type (LCT 27) and the Upland Farmland LCT (LCT 288).

Visual

Static visual receptors of the scheme include sporadic residential properties located along the A96 carriageway within the scheme extents. The closest visual receptor, a residential property is located approximately 50m north of VRS works on the A96 carriageway. Varying levels of visual screening are present along the entire scheme length, with the closest receptor being partially screened from the proposed works are by semi-mature vegetation and scrub, and general topography of the landscape.

Biodiversity

Protected areas

Mortlach Moss Special Area of Conservation (SAC) is located approximately 1.7km east of the scheme extents at its closest point.

There is direct hydrological connectivity from the proposed works to the protected area via the Burn of Cairnie that flows adjacent, and beneath the scheme extents to the SAC. The watercourse joins the SAC 2.1km from the proposed works (Sitelink).

There are no locally or nationally designated biodiversity sites located within 300m of the scheme (such as Sites of Special Scientific Interest (SSSIs), or National Nature Reserves) (Sitelink).

No trees under a TPO are within 500m of the sites.

Two areas of woodland classified under the AWI line the A96 carriageway along the scheme extents:

- An unnamed area of long-established of plantation origin woodland (ID: 8,858) (NGR NJ446483); and
- An unnamed area of long-established of plantation origin woodland (ID: 8,853) (NGR NJ437494).

A Preliminary Ecological Walkover (PEW) was undertaken by Amey Ecologists in March 2025 due to the nature of the works, involving verge excavations.

Transport Scotland's Asset Management Performance System (AMPS) has recorded rosebay willowherb *(Chamerion angustifolium*), an injurious weed along the verges within the scheme extents.

The PEW identified stands of giant hogweed *(Heracleum mantegazzianum)* within specific works areas within the scheme extents.

Geology and soils

Geology

Bin Quarr (ID: 9389), Binhill Quarry Geological Conservation Review Sites (GCRs), and Bin Quarry geological SSSI are located approximately 260m north of the scheme extents (Sitelink). Bin Quarry SSSI has qualifying features of:

- Caledonian igneous; and
- Mineralogy of Scotland.

Bedrock geology is recorded as (British Geological Survey Geology Viewer):

- Metamorphic rock of the Drummuir Calcareous Member (Semipelite, micaceous psammite, metalimestone and calcsilicate rock) formed between 1000 and 541 million years ago (Mya) between the Tonian and Ediacaran periods.
- Metamorphic rock of the Mortlach Graphitic Schist Formation (graphitic pelite and semipelite) formed between 1000 and 541 Mya between the Tonian and Ediacaran periods.
- Metamorphic rock of the Corryhabbie Quartzite Formation (quartzite) formed between 1000 and 541 Mya between the Tonian and Ediacaran periods.
- Igneous bedrock of the Huntly-knock Pluton (olivine-gabbro) formed between 485.4 and 443.8 Mya during the Ordovician period.

Superficial deposits are recorded as:

- Sedimentary superficial deposits of Till, Devensian (Diamicton) formed between 116 and 11.8 thousand years ago during the Quaternary period.
- Sedimentary alluvium and river terrace deposits (gravel, sand, silt and clay) formed between 2.588 Mya and the present during the Quaternary period.

Soils

The local soil type within scheme extents is recorded as brown earths, humus-iron podzols, non-calcareous gleys with humic gleys, peaty gleyed podzols, and alluvial soils (Scotland's Soils).

Material assets and waste

Materials

Materials required are as follows:

- Concrete (for foundations);
- VRS barriers;
- VRS posts;
- VRS terminals;
- Metal bolts and fasteners;
- Sign faces; and

- Sign posts.

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, new VRS barriers, sign posts may contain an element of recycled metal material.

Wastes

Wastes are anticipated to be:

- VRS and posts;
- VRS P4 terminals;
- Concrete;
- Soil;
- Sign faces; and
- Sign posts.

Metal waste materials will primarily be recycled at a licenced facility, thereby reducing the amount sent to landfill and promoting circular economy practices.

Any excavated material will be used as backfill where possible.

Noise and vibration

The scheme extents cover a largely rural area, with baseline noise levels likely to be influenced primarily by traffic flow along the A96, and secondary sources from agricultural activities. For AADF details, please refer to the Air Quality section above.

There are over 60 noise-sensitive receptors (NSRs) located within 300m of the works locations within the scheme extents. The closest receptor, a residential property is located approximately 50m north of VRS works on the A96 carriageway (at NJ 46212 45833).

Other NSRs include community facilities such as:

- Cairney primary School is located approximately 200m northwest of the scheme extents.
- Seafield Park, Keith is located 20m from the scheme start.

Modelled day-evening-night (L_{den}) noise levels along the scheme extents is >70 to 80dB. 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). Modelled night noise levels (L_{night}) for the period 23:00-07:00 is >60 to 70dB (Scotland's Noise Map).

The works do not fall within a Candidate Noise Management Area (CNMA), as defined by the Transportation Noise Action Plan (TNAP).

Population and human health

There are approximately 60 residential receptors located within 300m of the works locations within the scheme extents. The closest receptor, a residential property is located approximately 50m north of VRS works along the A96 carriageway.

Two community facilities are located within 300m of the scheme extents:

- Cairney primary School is located approximately 200m northwest.
- Seafield Park, Keith is located 20m from the scheme start.

Numerous businesses are located within 300m of the scheme start within the town of Keith. These include local shops and cafes.

The scheme extents cover a largely rural area, with grazing and arable agricultural land lining the majority of this section of the A96 carriageway. Sporadic agricultural properties are located within 300m along the scheme extents, with the closest, Netherton Farm, located approximately 60m from the scheme extents.

A short footway is located adjacent to the scheme start where VRS replacement works are to occur. This is not a Moray Council Core Path. No other WCH provision is along the scheme length.

No land take (private property land, agricultural land, business land, or community land) is required as all works will be contained to the trunk road boundary.

Road drainage and the water environment

Surface water

The following watercourses classified under the Water Framework Directive (WFD) are located within 500m of the scheme extents (SEPA Water Classification Hub).:

- River Deveron - Black Water to Huntly (ID: 23182) (good condition) located 312m south;

- Cairnie Burn (ID: 23172) (moderate condition) culverts the carriageway at NGR NJ 48214 44686;
- Burn of Drum (ID: 23177) (good condition) culverts the carriageway at NGR NJ 44484 47481.

Numerous field drains and unclassified watercourses are located within 500m and culvert the carriageway along the scheme extents.

Road drainage is managed through filter drainage, ditches, and top-entry gullies.

Groundwater

The scheme is located within the Keith groundwater body (ID:150656) with a good overall condition under the WFD (SEPA Water Classification Hub).

The scheme is not located within a Nitrate Vulnerable Zone (NVZ).

Flood risk

Small, localised areas of A96 carriageway within the scheme extents are recorded as being at a low (0.1%) to high risk (10%) of pluvial and fluvial flooding. These areas are not significant in size and are largely located where field drains and watercourses culvert the scheme extents (SEPA Flood Maps).

Climate

Carbon Goals

The Climate Change (Scotland) Act sets out the target and vision set by the Scottish Government for tackling and responding to climate change. The Act includes a target of reducing CO_2 emissions by 80% before 2050 (from the baseline year 1990).

The Scottish Government has since published its indicative Nationally Determined Contribution (NDC) to set out how it will instead reach net-zero by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030. By 2040, the Scottish Government is committed to reduce emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

Transport Scotland is committed to reducing carbon across Scotland's transport network, this commitment is being enacted through the Mission Zero for Transport. Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, TS 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 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 associated with the proposed works may temporarily impact local air quality in the surrounding area and pose a nuisance to nearby receptors. Construction activities will likely emit dust and particulate matter into the atmosphere, such as during the breaking out of concrete from signage foundations and VRS posts and terminals. Furthermore, there will likely be an increased HGV and plant presence along this section of the carriageway during the construction period.

TM will likely cause delays, increased congestion and increased traffic emissions.

Post construction there will be no change to traffic flow characteristics (e.g. traffic composition, speed or flows).

Given the nature and scale of the works and the following mitigation measures, the risk of significant impacts on air quality is considered low. Any impacts will be temporary, for the works duration only.

Best practice and measures as outlined in the 'Guidance on the assessment of dust from demolition and construction (January 2024)' published by the institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:

- Materials that have a potential to produce dust, such as excavated material, 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 accordance with DMRB Guidance document LA 105: Air Quality no further assessment is required.

Cultural heritage

No designated cultural heritage features are identified within the scheme extents, with the closest asset, a listed building located 260m from the scheme end. There are no anticipated impacts to the identified designated features as no land acquisition is required. Furthermore, vibration effects from the scheme are not anticipated to be significant due to the nature of the works.

Original construction of the A96 carriageway and associated infrastructure (signage and VRS) is likely to have removed any archaeological remains that may have been present. Therefore, the potential for the presence of unknown archaeological remains in the study area is low, with works restricted to the trunk road boundary.

The following mitigation measures will be in place:

- Plant and machinery will be stored within the carriageway boundary as far as reasonably practicable. Where areas out with the carriageway are to be accessed, it will be reduced as far as possible and ideally limited to access on foot.
- If a change to the construction programme onsite is required that involves changes to scheme extents Amey's Environmental Team will be notified.

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

Landscape and visual effects

There will likely 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, vehicles, plant and materials will be restricted to areas of made ground on the A96, construction works are programmed to be undertaken overnight, and the works will continuously move along the scheme length during the scheme duration.

The works are not anticipated to impact the range, or sensitivity of views, or level of screening from any visual receptors. Upon completion of the works, no residual

impacts are anticipated, as once complete the visual appearance will remain largely unaffected. The installation of new and upgraded VRS and signage will not detract from overall landscape quality or distinctiveness due to the A96, and existing infrastructure being a predominant feature within the landscape.

The following mitigation measures will be in place:

- Throughout all stages of the works, the site will be kept clean and tidy, with materials, equipment, plant and wastes appropriately stored, reducing the landscape and visual effects as much as possible.
- 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.

With the above mitigation measures in place, it is anticipated that any landscape and visual effects associated with the proposed works will not be significant. Therefore, in accordance with DMRB Guidance document LA 107: Landscape and Visual Effects no further assessment is required.

Biodiversity

Construction activities have the potential to have a temporary adverse impact on biodiversity in the area as a result of vehicle presence and the potential for disturbance to protected species within close surroundings; and potential to pollute habitats from noise and artificial site lighting. Findings from the PEW indicate that in the absence of mitigation, the proposed works could negatively impact protected species, and have the potential to spread giant hogweed on, or off site.

There is potential for the works to pollute aquatic habitats from construction activities such as such as excavation and breaking out of concrete foundations. If there is mobilisation or run-off of pollutants, sediment or debris into the watercourse or drainage systems. Please see Road Drainage and the Water Environment section for further details.

There is no anticipated impact to the areas of AWI located adjacent to the scheme extents as no vegetation clearance, or land take is required.

A HRA has been undertaken due to the potential for likely significant effects (LSE) to Mortlach Moss SAC and its qualifying features. This concluded no LSE to the designated area as:

- The habitat area of the designated site will not be reduced as a result of the scheme.

- There will be no change in the level of disturbance to key species as a result of the scheme.
- No habitat fragmentation will occur as a result of the scheme.
- There will be no reduction in species density as a result of the scheme.
- There will be no change in the key indicators of conservation value.
- The scheme will not reduce the ability of the designated site to cope with climate change.

The following mitigation measures will be in place:

- Works will remain outwith 5m of any recorded stand of giant hogweed. If this is not possible, works will only commence under a method statement which details the proper working methodologies to limit the spread of this species.
- A 'soft start' will be implemented on site each day. This involves switching on plant/vehicles sequentially as opposed to simultaneously to ensure a gradual increase in noise for minimal disturbance.
- Site lighting will be directional and aimed away from sensitive ecological receptors including trees and watercourses as far as is reasonably practicable.
- Should a protected species be encountered or move on site, works will be temporarily stopped, and Amey's Environmental Team will provide advice.
- Amey's Environmental Team will be contacted if:
    - There are any sightings of protected species on, or within close surroundings of the active works area; and
    - Unforeseen site clearance, or additional construction activities are required.
- Plant, vehicles and materials will be contained within areas of engineered ground and not stored on grass verges as far as reasonably practicable. If required, reinstatement of any damaged areas will be undertaken upon completion of the scheme.
- Amey's environmental briefings on 'Invasive Plants' and 'Protected Species' will be delivered to all site operatives prior to works commencing.

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

Geology and soils

Excavation works for sign posts, VRS barrier posts and terminals have the potential to result in minor soil disturbance, with exposed soils having the potential to become polluted, for example through accidental pollution from fuel spillage.

Any potential impact is not significant and does not carry the potential to affect the overall function or quality of the soil resource. Furthermore, excavations are not anticipated to be at a depth to adversely impact geology.

There is no anticipated impact to the GCRs and SSSI due to the distance from the scheme and nature of the works with no pathways present.

The following mitigation measures will be in place:

- Vehicles and materials will not be stored or parked on grass verges where possible. Where damage occurs, the reinstatement of the grass verge will be carried out.
- Excavation of soils will be kept to a minimum and only where necessary, with any excavated soils being re-used on site as far as reasonably practicable.
- Additional pollution prevention measures as outlined in the Road Drainage and the Water Environment section below will also be adhered to during construction.

With mitigation measures in place there is no significant effect anticipated on geology and soils. Therefore, in accordance with DMRB Guidance document LA 109: Geology and Soils no further assessment is required.

Material assets and waste

There is potential for impacts as a result of resource depletion through use and transportation of new materials. However, metal materials, for the new VRS will contain a percentage of recycled material, and due to the scale and scope of works no significant impacts are anticipated for material assets and waste.

There is potential for impact with regard to pollution from materials and wastes if they are not appropriately managed.

The following mitigation measures will be implemented:

- All waste will be transported by suitable licenced contractor and have a valid Waste Transfer Note (WTN).
- Materials will be derived from recycled, secondary, or re-used origin as far as practicable within the design specifications to reduce natural resource depletion and associated emissions.
- Operators will have a duty of care to ensure the safe handling, storage, and transfer of waste. This includes maintaining proper documentation and ensuring that waste is only transferred to licensed carriers.
- Waste will be stored in suitable containers and covered.
- Where possible, different waste streams will be separated at the source.

- 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 implemented wherever possible, to minimise/prevent the disposal of unused materials.
- Containment measures will be in place to prevent debris or pollutants from entering the surrounding environment, such as drain covers.

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

Noise and vibration

Construction activities and working methods associated with the proposed works including excavation and breaking ground, have the potential to cause noise, and vibration impacts through the use of machinery (e.g. excavator, hydraulic breaker and auger drill) and construction vehicles. This potential disturbance will likely impact NSRs surrounding scheme extents, however, this is not anticipated to significantly increase noise levels from ambient levels.

TM, and associated congestion may also contribute to increased noise levels during the construction period.

Upon completion of the works, no adverse noise and vibration impacts are anticipated.

Please see Biodiversity section for further noise impacts with regard to surrounding wildlife.

The relevant Best Practicable Means outlined in British Standard (BS) 5228:2009+A1:2014 'Code of practice for Noise and Vibration Control on Construction and Open Sites' will be implemented and followed in order to reduce noise and vibration disturbance. The BS provides specific detail on suitable measures for noise control in respect to construction operations; for example:

- Where reasonably practicable, 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/vehicles are started sequentially as opposed to simultaneously.
- Electrically powered equipment will be used where feasible instead of diesel or petrol alternatives.
- 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 should 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.
- A letter drop will be delivered to residents within 300m to notify them of upcoming works, TM arrangements timings and duration.
- Aberdeenshire and Moray Council Environmental Health Teams have been contacted to notify of night-time programming.

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

Population and human health

No significant congestion issues are noted during the proposed construction hours; however, increased journey times may occur due to TM measures. These are not considered significant due to works being undertaken overnight, outwith peak traffic hours. Furthermore, no full road closures or diversion routes will be required to facilitate the works.

Numerous laybys and access points to local roads and residential and agricultural land are within the scheme extents, with the potential for the works to impact access/egress and use of laybys. However, the works will move progressively along the full scheme extent during the construction period and specific measures will be in place to mitigate against significant impacts. For example:

- Access/egress will be maintained/granted throughout the construction period.
- Any temporary layby closures will be advertised on approach.

- Construction lighting will be directional, to prevent illuminating surrounding properties to avoid a nuisance at night.
- Aberdeenshire and Moray Council's Environmental Health Teams have been notified of the works.

Local residents and road users will be informed of the proposed working schedule, in particular the times and durations of the works. This will include:

- Notification via a letter drop to properties within 300m will be issued prior to commencement of the works, due to night-time programming and road restrictions;
- Pre-construction notice of the works and journey planning via social media; and on approach to scheme extents.

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

During the works, there is potential for temporary impacts on the water environment. This includes potential changes in water quality from pollution events (either by accidental spillage fuels, waste material, or concrete, or by mobilisation of these in surface water) during the works which may have a direct or indirect effect on the surrounding water environment.

Various watercourses flow beneath the carriageway and are within the scheme surroundings; however, 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.

- Amey's Environmental Briefing 'Water Pollution and Prevention' will be delivered to site operatives prior to works commencing.
- 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/flooding event in order to adequately control run-off/drainage to prevent pollution.
- All storage areas (fuels, machinery, plant, materials) where required will be located/stored:
  - Away (>10m) from watercourses and surface water drainage systems; and
  - Away from areas that see high vehicular movement (as far as reasonably practicable) to prevent damage by collision or extremes of weather.
  - Fuels stored within a drip tray, bund or other form of secondary containment.
- Curing concrete for foundations will be protected/covered from precipitation to prevent runoff contamination.

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

Climate

Construction activities associated with the proposed works have the potential to cause local air quality impacts as a result of the emission of greenhouse gases (GHGs) through the use of vehicles and machinery, material use and production, and transportation of materials to and from site. However, given the nature of the scheme, the volume of materials required to be imported on site is not significant.

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.
- Where waste is to be disposed of, this will be disposed at a local waste management facility 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 accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

Vulnerability of the project to risks

The A96 carriageway within the scheme has small, localised patches identified at risk of surface water and river flooding. Works will be programmed as far as is reasonably practicable to avoid periods of adverse weather or heavy rainfall.

The construction activities will be confined within the carriageway boundary, ensuring no increased risk or severity of major accidents or disasters impacting the environment. Upon completion, overall road safety will be enhanced through the renewal of VRS safety barriers.

Assessment cumulative effects

Moray Council Planning Portal has highlighted four extant planning applications within 500m of the scheme extents:

- 25/00220/S36SCN Land South Of The B9115 Edintore Moray AB55 5PJ (Consultation request on an EIA screening opinion for a 400 MW Battery Energy Storage System);
- 25/00265/APP Newtack Keith Moray AB55 5PH (Change of use of agricultural land to temporary compound);
- 25/00048/APP Land Approx 400 Metres South East Of Blackhillock Substation Keith (Installation of diesel generators, fuel storage and ancillary equipment associated with the consented BESS).
- 25/00043/S36 Land At Gibston Farm Blackhillock Keith (Construction and operation of a 349MW Battery Energy Storage System (BESS) with associated infrastructure including access roads, sub-station buildings, supporting equipment, fencing, drainage and landscaping).

Aberdeenshire Council Planning Portal has identified one extant planning application within 500m of the scheme extents:

- APP/2025/0674 Glenhead Of Coachford Cairnie Huntly AB54 4TU (Erection of Kennels and Office Building (Sui Generis)).

The Scottish Road Works Commissioner's Interactive Map has not identified any road works along the A95, or surrounding area that would conflict or result in cumulative effects with the proposed scheme.

At present, Amey's programme of works has not highlighted any works or relevant proposed developments or planning applications during the proposed timescale at the location of the works.

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.

No in-combination effects are anticipated with the proposed scheme and identified planning applications due to timescales, and application status' (the scheme is anticipated to be completed in August 2025). It is not expected that the decided planning permissions will overlap with the strategic road safety scheme, and furthermore due to the nature of the scheme and mitigation measures, no significant cumulative effects are anticipated.

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 proposed works.

The following environmental surveys, reviews and consultations have been undertaken:

- A Habitats Regulations Appraisal undertaken concluded no LSE to the Mortlach Moss Special Area of Conservation.
- An Environmental Screening Assessment undertaken in May 2025.
- A PEW and PEW report undertaken in March, and May 2025 respectively.
- Moray and Aberdeenshire Council Environmental Health Teams have been notified 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 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.
- Any potential impacts of the works are expected to be temporary, short-term, non-significant, and limited to the construction phase.
- By undertaking the works, road collisions and overall road safety along this stretch of the A96 trunk road will be improved. 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:

- Works are located within 2km and have direct hydrological connectivity to Mortlach Moss SAC; however, the HRA concluded that there will be no LSE on the qualifying features.
- 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 located within the existing A96 carriageway boundary 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 prevent the spread of invasive plants will be implemented.
- 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.

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