

NOTICE OF DETERMINATION

A90 / A937 LAURENCEKIRK JUNCTION ACCESS TO OATYHILL ENVIRONMENTAL IMPACT ASSESSMENT DETERMINATION UNDER SECTION 55A OF THE ROADS (SCOTLAND) ACT 1984

The Scottish Ministers give notice that they have determined that the project to provide an alternative access to the Oatyhill dwellings and Denlethen Wood, including the construction of a new bridge and associated roads to allow the A90/A937 Laurencekirk Junction Improvement Scheme to progress is a relevant project within the meaning of 55A of the Roads (Scotland) Act 1984 as it exceeds 1 hectare in area and falls within Annex II of Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, but that having regard to –

(a) the selection criteria contained in Annex III of that Directive, namely

- (i) the size and design of the whole project;
- (ii) cumulation with other existing and/or approved projects;
- (iii) the use of natural resources, in particular land, soil, water and biodiversity;
- (iv) the production of waste;
- (v) pollution and nuisances;
- (vi) the risks to human health (for example due to water contamination or air pollution),

(b) the results of the Environmental Screening Assessment under section 55A(2) of the 1984 Act and the Environmental Impact Assessment Report for the A90 / A937 Laurencekirk Junction Improvement Project,

(c) the information set out in the Record of Determination dated 13 November 2024, available at [Project details | Transport Scotland](#)

the project does not require an Environmental Impact Assessment.

The main reasons for the conclusion that no Environmental Impact Assessment is required are:

- (a) The works are not situated in whole or in part in a “sensitive area” as listed under regulation 2 (1) of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended);
- (b) The works entail a like-for-like asset replacement with already existing infrastructure and non-significant resource use;
- (c) The works are not located within an area designated for its specific landscape character or quality;
- (d) Any potential impacts of the works are expected to be temporary, non-significant, and limited to the construction phase; and
- (e) Addition of the Access to Oatyhill works will not result in any new or different baseline conditions or significant effects and will not alter the findings or conclusions of the A90 / A937 Laurencekirk Junction Environmental Impact Assessment Report.

The features of the project which are envisaged to avoid or prevent significant adverse effects on the environment are:

- (a) Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding environment;
- (b) Measures will be in place to ensure appropriate removal and disposal of waste;
- (c) Mitigation measures and best practice will be implemented to ensure no short-term or long-term significant negative impacts on the environment;
- (d) Traffic Management restrictions/arrangements and any expected travel delays will be publicised within the local and wider area, in an effort to minimise disturbance to vehicular travellers; and
- (e) Discussions with the local authority and local residents regarding the scheme contacts, proposed working hours, and access/egress will be held in advance of the works.



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