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Environmental Impact Assessment Record of Determination

A77 Drumbro Kennels to Glenapp

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Project Details

Description

The works are being undertaken to improve the safety and quality of the A77 carriageway located north of Cairnryan from Drumbro Kennels to Glenapp. During site investigations, surface defects (fretting/chip loss) and structural defects (rutting/longitudinal/transverse/crack) were identified.

The works will involve carriageway structural inlays at various depths up to 200mm over a stretch of approximately 11,000m^2. Construction activities will consist of the following:

- Implementation of Traffic Management (TM);
- Milling out the existing material to the proposed treatment depth;
- Inlays using TS2010 Surface Course 10mm aggregates and AC Binder and Base if required;
- The individual layers will then be stacked on top of each other; and
- Removal of TM.

Machinery and plant required will include a roller wagon and paver planer. Materials required will include:

- TS2010 Surface course;
- AC20 Bituminous binder; and,
- AC32 Bituminous base.

The proposed construction is programmed to be completed in November 2023 over five day shifts.

TM is to be daytime convoy, with the diversion route still to be confirmed but likely to be directed away from the A77 between Girvan and Stranraer, using the A714 and A75 via Newton Stewart.

Location

The works are being undertaken on the A77 between Drumbro Kennels to Glenapp, just north of Cairnryan, South Ayrshire. The works are being undertaken at the following National Grid References (NGRs) as illustrated in Figure 1.

- Start: NX 07626 74772
- End: NX 06497 73693

Please see Figure 1: Scheme Location below:

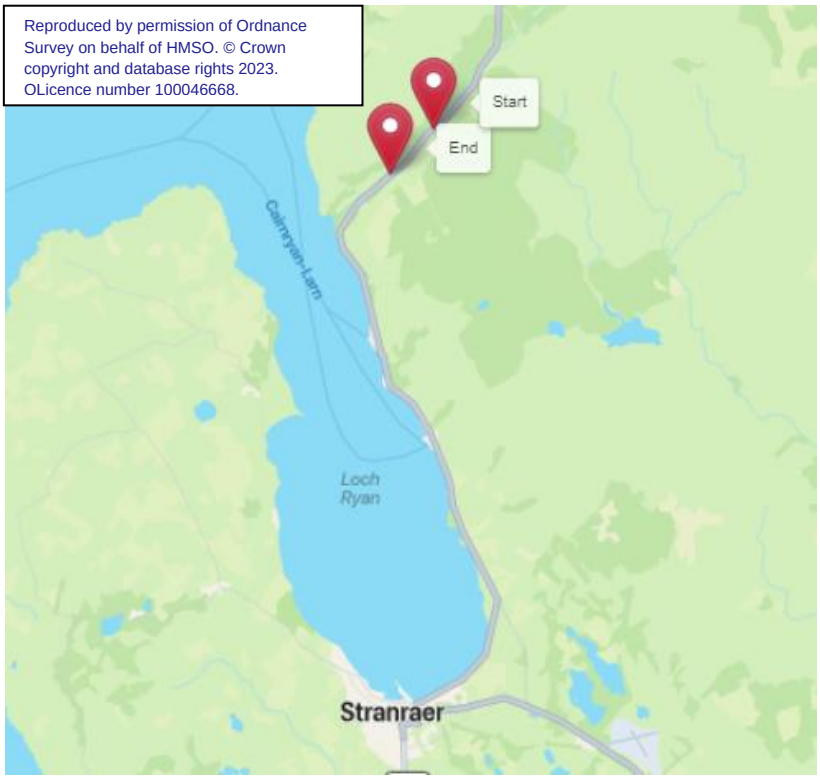

Figure 1: Scheme Location

Description of local environment

Air quality

The works are in a predominately rural location, with large areas of hills and woodland surrounding the scheme. Baseline air quality levels are mainly influenced by local vehicle traffic.

There are three residential properties within 300m of the proposed works, two are approximately 30m west and the third is approximately 90m east; Glenapp Church is also approximately 30m east.

In 2022, the Annual Average Daily Flow (AADF) for all vehicles on the A77 where works are to be undertaken (manual count point 752) was 3,206 with 684 of those being Heavy Good's Vehicles (HGVs).

South Ayrshire Council has not declared any Air Quality Management Areas (AQMAs).

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

Glenapp Wind Farm is approximately 600m east of the scheme.

Cultural heritage

A desktop study has been undertaken using Pastmap and no designated cultural heritage assets were identified within 300m of the scheme, however the following non-designated cultural heritage assets have been identified within 200m of the scheme:

- Church of the Mark Listed Building (Ref: LB857), Glenapp Church Canmore (Ref: 60896) and White Cairn Glenapp Church Canmore (Ref: 60880) (approx. 30m east);
- Drumbro Canmore (Ref: 170315) (approx. 30m west);
- Glenapp Manse Canmore (Ref: 60898) and Glenapp Manse and Steading Listed Building (Ref: LB4849) (approx. 90m east);
- Bridge of the Mark Canmore (Ref: 60895) (approx. 120m west);
- North Mark Bridge Canmore (Ref: 170302) (approx. 140m east); and
- Glenapp Castle, Drumanallan House Canmore (Ref: 217273) (approx. 170m east).

As works are like-for-like in nature and will remain within the carriageway, the designations listed above are not likely to be impacted by the works and therefore Cultural Heritage has been scoped out for further assessment.

Landscape and visual effects

The surrounding landscape is primarily large areas of woodland and hills either side of the carriageway.

Pastmap does not note any Garden and Designed Landscapes within 300m of the scheme extents.

The Scottish Landscape Character Type (LCT) map notes the scheme has been listed as 73-Upland-Glen-Ayrshire LCT which occurs in three places in Ayrshire, focused to the far south and east, comprising of steep, often craggy valley slopes.

The Historic Landscape Assessment (HLA) Map notes that the scheme is within land classified as Rough Grazing with areas of Managed Woodland adjacent to either side of the carriageway.

Scotland's Environment Map notes that there are no National Scenic Areas within 500m of the scheme. However, there are two areas of woodland registered as Ancient Woodland Inventory Scotland, one lies adjacent to the east and the other is at the Water of App to the northwest and continues to the southeast, crossing the carriageway and within the scheme extents.

Views of and from the road will be temporarily impacted during construction due to the presence of works, TM and plant. As works are like-for-like in nature and will remain within the carriageway boundary, there will be no permanent change to the landscape as a result of the works and therefore Landscape and Visual has been scoped out for further assessment.

Biodiversity

A desktop study undertaken using Nature Scot's SiteLink has identified Glenapp and Galloway Moors Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) approximately 25m north of the site.

A Stage 1 Habitat Regulations Appraisal (HRA) has been undertaken by the Amey E&S Team for the scheme in relation to the Glenapp Galloway Moors SPA and SSSI.

The Transport Scotland Asset Management Performance System (AMPS) database has records of Rhododendron (*Rhododendron Ponticum*) adjacent to the carriageway to the east at Glenapp Church and to the southeast of the scheme towards Drumbro.

As noted in the Landscape and Visual section above, Scotland's Environment Map identified two areas of woodland registered as Ancient Woodland Inventory Scotland, one is adjacent to the east and the other is at the Water of App to the northwest and continues to the southeast, crossing the carriageway and within the scheme extents.

A field survey was scoped out due to the nature of the works and that all works will be restricted to the existing carriageway boundary.

Geology and soils

Nature Scot's SiteLink notes there are no Geological Conservation Review Sites (GCRS) within the 2km of the scheme extents.

Scotland's Soils Map notes that the soils within the scheme extent are made up of brown soils and alluvial soils. The British Geological Survey Map notes that the geological features within the scheme extents are made up of:

- Bedrock Geology
  - Kirkcolm Formation – Wacke.
- Superficial Deposits
  - Alluvium – Silt, sand and gravel.
  - Till, Devensian – Diamicton.

As works are like-for-like in nature and will remain within the carriageway and require no excavation works, there will be no direct or indirect impacts to the geological features and soils within the scheme extent, therefore Geology and Soils has been scoped out for further assessment.

Material assets and waste

A Site Waste Management Plan (SWMP) is not required for the works.

Table 1: Key Materials Required for Activities

Activity	Material Required	Origin/ Content
Site Construction	• Road surfacing (aggregate and binder); • Bitumen; • Road paint and studs; • Lubricant; • Vehicle fuel; • Oil.	TS2010 Surface Course allows a wider array of aggregate sources to be considered when compared to typical SMA. As a result, the use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources. A proportion of RAP is used in asphalt production. Typical RAP values for base and binder are 10% - 15% with up to 10% in surface course.

Table 2: Key Waste Arising from Activities

Activity	Waste Arising	Disposal/ Regulation
Site Construction	• Road Planings; • Road studs; • Removed iron/metal components; and, • Tar bound materials.	On-site investigations of the carriageway (including coring and testing) have been undertaken and did not highlight the presence of any coal tar in any of the 15 cores. Uncontaminated road planings generated as a result of the required works, will be fully recycled

Activity	Waste Arising	Disposal/ Regulation
		in accordance with the criteria stipulated within SEPA document 'Guidance on the Production of Fully Recoverable Asphalt Road Planings'. All special waste, such as tar bound materials, will be transported by a licenced contractor to a licenced waste facility.

Noise and vibration

There are three residential properties within 200m of the proposed works, two are approximately 30m west and the third is approximately 90m east; Glenapp Church is also approximately 30m east. There is very little to no screening in between the carriageway and the residential properties identified.

There are no recreational parks within 300m of the scheme extent.

The key source of noise within the area is from the carriageway. Glenapp Wind Farm is also approximately 600m east but is unlikely to be a source of noise due to the distance from the scheme.

The scheme is not located within a Candidate Noise Management Area (CNMA) as defined by the Transportation Nosie Action plan, Road Maps.

Scotland's Noise Map does not hold any noise data for the A77 where works are to be undertaken.

In 2022, the Annua Average Daily Flow (AADF) for all vehicles on the A77 where works are to be undertaken (manual count point 752) was 3,206 with 684 of those being Heavy Good's Vehicles (HGVs).

Population and human health

A study area of 300m has been used for this assessment as the works are minimal and like-for-like and are unlikely to impact any receptors beyond 300m.

South Ayrshire Council has not declared any core paths within the scheme extents. However, the Ayrshire Coastal Path Trail begins at Glenapp Church and crosses the A77 where works are to be undertaken.

There are also no National Cycling Network Routes within the scheme extents. The British Horse Society (BHS) has not declared any horse riding routes and trails within the scheme extents.

There is no streetlighting within the scheme extents.

There are two bus stops within the scheme extent located at Glenapp Church.

Access to all three residential properties and Glenapp Church is via the A77 where works are to be undertaken.

Road drainage and the water environment

The Scottish Environment Protection Agency (SEPA) Water Classification Map notes that the Water of App (ID: 10478) (approx. 30m north west) is considered to be in moderate condition. The SEPA Flood Risk Map notes that the Water of App has a high-risk of river flooding; high-risk refers to a 10% chance of flooding every year.

There are several other burns both to the east and west of the carriageway which flow downstream and into the Water of App; the burns on the west run under the A77. Such burns include:

- Drumahallan Burn (adjacent/under the scheme);
- March Burn (adjacent/under the scheme);
- Clunach Brun (adjacent/under the scheme);
- Lissie's Burn (adjacent/under the scheme); and
- Tammock Burn (adjacent/under the scheme).

None of the burns listed above have any SEPA Water Classification or Flood Risk data.

The scheme does not lie within a Nitrate Vulnerable Zone.

Drainage within the scheme is via gullies which run along either side of the carriageway.

Climate

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 included 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 SW NMC network by 2028. Amey have set carbon goals for the SW NMC contract as a whole to be net-zero carbon by 2032.

Monitoring, Management and Opportunities

To support our journey towards carbon neutral and zero waste we include potential opportunities for enhancement utilising circular economy principals within assessment of material assets.

Amey (working on behalf of Transport Scotland) undertake carbon monitoring. Emissions from our activities are recorded using Transport Scotland's Carbon Management System.

Further information identifying how Amey will obtain the above Carbon Goals can be viewed within the Carbon Management and Sustainability Plan Roadmap to net-zero: STRNMC – South West.

Description of main environmental impacts and proposed mitigation

Air quality

Impacts

- On site construction activities carry a potential to produce airborne particulate matter and generate emissions that may have a temporary impact on local air quality levels.
- TM implemented during the scheme may result in an increase in vehicle emissions through idling vehicles and increased congestion. This may result in a temporary deterioration in local air quality.
- The impacts identified will be temporary for the duration of the works only and therefore no change is predicted on air quality.
- Post construction there will be no change to the traffic volume, speed or road alignment.

Mitigation

- The following best practice as outlined in the Guidance on the assessment of dust from demolition and construction 2014 published by the Institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:
  - All vehicles will switch off engines when stationary; there will be no idling vehicles.
  - All plant and fuel-requiring equipment utilised during construction will be well maintained in order to minimise emissions.
  - Planing operations will be wetted to reduce dust arising.
  - Drop heights to haulage vehicles and onto conveyors will be minimised where practicable.
  - Lorries will be sheeted when carrying dry materials.
  - Surfaces will be swept where loose material remains following planing.
- Green driving techniques will be adopted, and effective route preparation and planning will be undertaken prior to works.

The residual significance of effects is considered not significant due to the general transient and temporary nature of the works. Therefore, no further assessment is required in accordance with DMRB Guidance document LA 105: Air Quality.

Biodiversity

Impacts

- An increase in noise levels has the potential to disturb any protected species nearby.
- A Stage 1 Habitat Regulations Assessment (HRA) has been undertaken by the Amey E&S Team for the scheme in relation to the Glenapp Galloway Moors SPA and SSSI which concludes that:
    - The works are unlikely to cause disturbance to the qualifying features. The works are considered to be sufficiently separated from the habitat (such as moorland) to prevent against significant disturbance. Standard best practice measures will prevent against noise pollution and vibration as a result of works activities which could otherwise impact the SPA.
    - The works will not lead to habitat or species fragmentation as they are being undertaken entirely within the existing A77 highways boundary.
    - The works are small in scale, temporary and like-for-like, with no direct impacts on surrounding habitats within the SPA or its qualifying interest.
- Therefore, the HRA has concluded that the Glenapp Galloway Moors SPA and SSSI is unlikely to be impacted by the works and therefore there will be no Likely Significant Effects. Should the works need to be rescheduled during breeding season, the Stage 1 HRA will be revised.

Mitigation

- If any protected species are seen on site, all work will be temporarily stopped until the animal has moved out of the construction zone and buffer zone. All sightings will be reported to the E&S Team and an ecologist will assess the situation before any work is to continue. The Amey control room will be contacted for the environmental record.
- In the event night-time programming is required, where lighting is required, hoods will be used and lights directed at works and away from ecological receptors including any watercourses, to minimise disturbance to nocturnal species.
- 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.
- In the unlikely event that an INNS is identified on site, all works must temporarily stop and the environment team contacted.
- ‘Soft start’ techniques will be utilised with noise heavy equipment/plant/machinery in order to deter any potential noise sensitive species present in the area. This technique will act as a deterrent to the recipients and allows for any potential damage to the recipients to be mitigated as incremental increases in noise levels are made.

On the condition that the above mitigation measures and best practice are adhered to, the residual effect on local biodiversity is considered not significant.

Therefore, in accordance with DMRB Guidance document LA 108: Biodiversity, no further assessment is required.

Material assets and waste

Impacts

- The design life for the TS2010 surfacing proposed is estimated to be 20 years. This will reduce the requirement for maintenance to this section of road over the period.
- The works will result in contribution to resource depletion through use of virgin materials.
- Transportation and recovery of materials/waste will require energy deriving from fossil fuel, a non-renewable source.
- Greenhouse gas (GHG) emissions will be generated by material production and transporting to and from site.
- Tar bound materials were identified during the investigation coring which is classed as special waste and is also subject to obtaining a SEPA consignment note and providing advance notice of at least three days prior to any waste movement.

Mitigation

- 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.
- The contractor will adhere to waste management legislation and ensure they comply with waste management Duty of Care.
- Uncontaminated road planings arising from the works will be fully recycled under a SEPA Paragraph 13(a) Waste exemption in accordance with guidance on the Production for Fully Recovered Asphalt Road Planings.
- All waste leaving the site will be removed from site by a licence waste carrier. All waste documentation will be provided when requested.
- The disposal of special waste is also subject to obtaining a SEPA consignment note and providing advance notice of at least three days prior to any waste movement.
- Use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources thus reducing GHG emissions.

- Where possible, materials will be obtained locally, and operatives deployed from the local depot to reduce haulage and scheme associated journeys, reducing impact of associated GHG emissions on climate.
- Where possible all materials will be reused throughout the network, if not possible they will be recycled locally.
- The use of TS2010 Surface Course will prolong the period before future resurfacing is required, compared to other types of road surface. Future repairs can be able to be carried out easily via inlay.

It has been determined that the proposed project will not have direct or indirect significant effects on the consumption of material assets or creation of waste.

Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

Noise and vibration

Impacts

- The works are not likely to change the existing baseline noise level post construction for any sensitive receptors.
- TS2010 road surfacing is shown to have superior durability and noise reducing features compared to standard road surfacing mixes. Vehicle travellers and nearby receptors will benefit from the improved road surfacing as a result of the scheme.
- Noise heavy works may be required during daytime hours, which could cause disturbance for the nearby amenity users.

Mitigation

- Plant/machinery will be fitted with silencers/mufflers.
- No plant, vehicles or machinery will be left idling when not in use.
- ‘Soft start’ techniques will be utilised with noise heavy equipment/plant/machinery to minimise disturbance.

With best practice mitigation measures in place, the residual construction effects associated with Noise and Vibration is considered not significant.

Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration no further assessment is required.

Population and human health

Impacts

- TM has potential to cause temporary levels of disruption to road users (i.e. congestion and increased travel times).
- Pedestrian access to the Ayrshire Coastal Path Trail will be impacted by the works.
- Access to residential properties will not be impacted and will remain open.
- There will be no impact on land take from private land and/or community facilities as a result of the scheme as all works will be contained within the carriageway boundary.
- The works will improve the quality of the road and therefore will benefit road users.
- It is yet to be confirmed as to whether bus stops will be impacted by the works but in the event that closure of the bus stops is required, a temporary bus stop will likely be put in place.

Mitigation

- TM 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.
- Advance notice of any pedestrian access impacts on local paths such as the Ayrshire Coastal Path Trail, will be provided prior to works.

With best practice mitigation measures in place, the residual construction effects associated with Population and Human Health is considered not significant.

Therefore, in accordance with DMRB Guidance document LA 112: Population and Human Health no further assessment is required.

Road drainage and the water environment

Impacts

- Potential for spills, leaks or seepage of fuels and oils associated with plant to escape and reach drainage systems and watercourses if not controlled, which may negatively affect the water environment.
- In the event flooding should occur, debris may be mobilised and could enter the road drainage having a detrimental effect on the surrounding local water environment.

Mitigation

- Best practice, as detailed by SEPA's Guidance for Pollution Prevention (GPPs), will always be followed onsite. This will ensure that any potential debris/spills are not allowed to enter road drainage unchecked.
- 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 following the works.
- Debris and dust generated as a result of the works will be prevented from entering the drainage system. This can be via the use of drain covers or similar.
- Appropriate measures will be implemented onsite to prevent any potential pollution to the natural water environment (e.g., debris, dust, and hazardous substances). This will include spill kits being present onsite at all times, and the use of funnels and drip trays when transferring fuel.
- Visual pollution inspections of the working area will be conducted in frequency, especially during heavy rainfall and wind.
- Weather reports will be monitored prior and during all construction activities. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and run-off/drainage can be adequately controlled to prevent pollution.

Providing all works operate in accordance with current best practice, as demonstrated by the Scottish Environmental Protection Agency's (SEPA's) GPPs, the residual effect on Road Drainage and the Water Environment is considered not significant.

Therefore, in accordance with DMRB Guidance document LA 113: Road drainage and the water environment no further assessment is required.

Climate

Impacts

- Greenhouse Gas (GHG) emissions will be emitted through the use of machinery, vehicles and materials used (containing recycled and virgin materials) and transporting to and from site.

Mitigation

- Local suppliers will be used as far as reasonably practicable to reduce travel time and GHG emitted as part of the works.
- Vehicles/plant will not be left on when not in use to minimise and prevent unnecessary emissions being emitted.
- Further actions and considerations for this scheme are detailed in the above Material assets and waste section.

It has been determined that the proposed project will not have direct or indirect significant effects to climate.

Therefore, in accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

Vulnerability of the project to risks

As the works will be limited to the like-for-like resurfacing of the carriageway, there will be no change in vulnerability of the road to risk, or in severity of major accidents/disasters that would impact on the environment.

It has been determined that the proposed project is not expected to alter the vulnerability of the existing trunk road infrastructure to risk of major accidents or disasters.

Assessment cumulative effects

The Scottish Road Works Commissioner's Interactive Map has not highlighted any ongoing works during the proposed timescale and at the location of the proposed works.

Amey's current programme of works has not highlighted any ongoing works during the proposed timescale and at the location of the proposed works.

South Ayrshire Council's Planning Portal has not highlighted any ongoing works during the proposed timescale and at the location of the proposed works.

Any future schemes will be programmed to take into account already programmed works, and as such any effect (such as from TM arrangements and potential construction noise) will be limited.

Overall, it is unlikely the proposed works will have a significant cumulative effect with any other proposed works in the local area.

Assessments of the environmental effects

Following assessment as detailed within this Record of Determination, and provided that mitigation measures are in place and best practice is followed, the residual impact is deemed neutral and there will be no significant effects on the environment.

The following environmental surveys/reviews have been undertaken:

- An Environmental Review of the scheme was undertaken by the Amey E&S Team in September 2023.
- A Stage 1 HRA was undertaken by the Amey E&S Team in September 2023.

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:

- Construction activities are restricted to the approximate 11,000m^2 area of existing carriageway.
- No impacts on the environment are expected during the operational phase as a result of works. The use of TS2010 road surfacing affords the benefits of a reduction in mid to high frequencies of traffic noise and a reduction in ground vibrations. As a result, ambient noise levels should decrease post construction.
- The works will be temporary, localised, and completed potentially during both daytime and night-time hours.
- No disturbance is anticipated to protected species within the wider area.
- At end of life, components can be recycled, reducing waste to landfill.

- The chosen material TS2010 Surface Course allows a wider array of aggregate sources to be considered when compared to typical SMA.
- The design option conveys sustainability benefits by significantly reducing the quantity of maintenance interventions required at the location.
- As the works will be limited to the like-for-like replacement of the structural components, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.

Location of the scheme:

- The scheme will be confined within the existing carriageway boundaries and as a result will not require any land take and will not alter any local land uses.
- The scheme is 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), however, does have connectivity to the Glenapp and Galloway Moors SPA and SSSI.

Characteristics of potential impacts of the scheme:

- Pollution prevention measures of the working area will be in place to prevent debris or pollutants from entering the surrounding water environment.
- Any uncontaminated road planings will be recycled in accordance with Guidance on the Production for Fully Recovered Asphalt Road Planings.
- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications.
- Tar bound materials were identified during the investigation coring which will be transported by a licenced contractor to a licenced waste facility.

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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