



## 14.0 POLICIES AND PLANS

### 14.1 INTRODUCTION

14.1.1 This chapter assesses the scheme in terms of the wider context of national, regional, strategic and detailed local planning policies.

14.1.2 This assessment is intended to identify the potential for the scheme to either hinder or enhance the implementation of the planning policies.

#### Regulatory Framework

14.1.3 The following policy documents were consulted:

- Scottish Planning Policy (SPP)
- The National Planning Framework 2 (NPF2)
- North Ayrshire's Local Transport Strategy 2008 – 2013.
- Ayrshire Joint Structure Plan, 2007.
- North Ayrshire Local Plan, 2005, North Ayrshire Council.
- North Ayrshire Local Plan (Excluding Isle of Arran) and Isle of Arran Local Plan. Alteration No. 1: Rural Development Policies & Strategic Environmental Assessment: Environmental Report Adopted 20 April 2007.
- Scotland's National Transport Strategy December 2006
- Planning Advice Notes (PAN) 1/2011, 33, 42, 51, 58, 60, 61, 63, 75 and 79.

### 14.2 METHODOLOGY

14.2.1 The scheme proposals are considered in the context of relevant policies, proposals and guidance. The assessment is undertaken in accordance with the DMRB Volume 11, 1994, Section 3, Part 12: Impact of Road Schemes on Policies and Plans and comprises reference at national (NPF2/SPP/PAN), regional (Structure Plans), and Local (Local Plans) level to identify existing and emerging issues, policy initiatives and Local Plan proposals relevant to the consideration of the scheme, and its development implications.

14.2.2 DMRB Volume 11 provides guidance on the assessment of the road scheme in relation to National, Regional and Local policies, however does not set out criteria to assign impacts. Therefore impact criteria is identified and reported as being positive, negative or neutral. Impact criteria is described as:

- A positive impact indicates that the proposed scheme would comply with or contribute to the realisation of policy or plan objectives and commitments;
- A negative impact indicates that the proposed scheme would not comply with policy or plan objectives and commitments; and
- A neutral Impact indicates that the proposed scheme would represent instances where, on assessment, the policy or plan objectives and commitments neither comply or non-comply with the proposals or not relevant.



## Consultation

- 14.2.3 Consultation was sought by Amey in November 2011 with North Ayrshire Council Planning department. No response has been received to date. This poses a limitation of this assessment on Policies and Plans. Further details can be found in Chapter 3.

## 14.3 BASELINE CONDITIONS

### Study Area

- 14.3.1 The proposed road improvement at The Den is located on the A737 which is a strategic road within North Ayrshire Council. The A737 is the main route to Glasgow for the towns of Irvine, Stevenston, Kilwinning, Saltcoats, West Kilbride, Dalry, Beith and Kilbirnie. The extent of the study area is 500m either side of the centre line of the proposed realignment. Refer to Drawing No. 10/SW/0901/037/212 Rev A.

## 14.4 NATIONAL PLANNING POLICY CONTEXT

### Scottish National Planning Framework

- 14.4.1 The National Planning Framework for Scotland 2 published in 2009 is a planning document that analyses the underlying trends in Scotland's policy decisions and spending, development plans and planning decisions to guide Scotland's development to 2030. Various sections apply to the proposed A737 road improvement scheme. These are:
- Transport policy, which promotes economic growth, social inclusion and accessibility, sustainable transport and environmental impact minimisation.
  - Key Issues and Drivers for Change, which addresses problems of congestion in the trunk road network and public transport systems.

### Scottish Government's Planning Policies

- 14.4.2 The Scottish Government's planning policies are set out in the Scottish Planning Policy (SPP) February 2010 on land use planning and contains:
- The Scottish Government's view of the purpose of planning,
  - The Core operation of the system and the objectives for key parts of the system,
  - Statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
  - Concise subject planning policies, including the implications of development planning and development management, and
  - The Scottish Government's expectation of the intended outcomes of the planning system.
- 14.4.3 The SPP replaces SPP and National Planning Policy Guidelines (NPPG) as a single document. The policies within the SPP considered relevant to this scheme are listed below:
- Economic Development, describes existing government policy in relation to economic development.



- Historic Environment policy promotes protecting ancient monuments and archaeological sites and landscapes.
- Flooding and Drainage policy provides guidance on flooding issues and prevention of additional land and development being put at risk from flooding.
- Landscape and Natural Heritage policy provides guidance on Government policies for the conservation and enhancement of Scotland's natural heritage within land use planning. This includes International Designations, Local designations, protected species and trees and woodland.
- Rural Development policy describes existing government policy in relation to rural development. The aim should be to enable development in all rural areas which supported prosperous and sustainable communities whilst protecting and enhancing environmental quality.
- Transport policy promotes an integrated approach to land use, economic development, transport and the environment. The primary purpose of the strategic transport network is to provide a safe and efficient movement of strategic long distance traffic between major centres and rural local functions.
- Historic Environment policy deals with listed buildings, conservation areas, historic gardens, and designed landscapes, contributing to economic growth and the ability to accommodate change whilst retaining its special character.

14.4.4 The most relevant SPP for this project is Transport. The aim is to develop sustainable and integrated land use and transport planning elements that promote economic competitiveness, social justice and environmental quality.

#### Planning Advice Notes (PAN's)

14.4.5 PAN 33 Development of Contaminated Land (Revised Oct 2000) provides information on identifying, assessing and developing contaminated land.

14.4.6 PAN 42 Archaeology – Planning process and Scheduled Monument procedures (1994) covers sites & monuments records, development plans, and applications.

14.4.7 PAN 51 Planning and Environmental Protection (revised 2006) provides information relating to the statutory responsibilities of environmental protection bodies, as well as informing these bodies about the planning system. It also covers regimes for integrated pollution control, local air pollution control, pollution of controlled waters, drinking water quality, contaminated land, radioactive substances, statutory nuisance and noise, litter, and light.

14.4.8 PAN 1/2011 Planning and Noise (2011) covers general principles, noise policies in development plans, development control, mitigating noise impact, noisy development, designated areas and the countryside, planning conditions, enforcement, environmental assessment, and other statutory controls.

14.4.9 PAN 58 Environmental Impact Assessment (EIA) (1999) provides information and advice on the legislative background to EIA, EIAs in Scotland, the process of environmental impact assessment, environmental



studies and statements, the evaluation of environmental information by the planning authority and implementation through the planning decision.

- 14.4.10 PAN 60 Planning for Natural Heritage (2000) offers guidance on the treatment of natural heritage in development plans and supplementary policy guidance on assessing the resource and setting objectives, landscape character and biodiversity, and local designations and green space.
- 14.4.11 PAN 61 – Planning and Sustainable Urban Drainage Systems (2001): Provides good practice which complements the Sustainable Urban Drainage System Design Manual for Scotland and Northern Ireland in the design and planning of SUDS.
- 14.4.12 PAN 75 Planning for Transport (2005) aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information.
- 14.4.13 PAN 63 Waste Management Planning (2002) – Provides advice on a sustainable approach and change of emphasis from waste disposal to integrated waste management.
- 14.4.14 PAN 79 Water and Drainage (2006) - The Planning Advice Note provides advice on good practice in relation to the provision of water and drainage in a planning context. It encourages joint working with local agencies such as Scottish Water and Scottish Environment Protection Agency in order to ensure a common understanding of any capacity constraints and agreement on the means of their removal, alteration or new water features..

#### Circulars

- 14.4.15 SDD Circular 3/2011 Environmental Impact Assessment (Scotland) Regulations 2011.
- 14.4.16 SDD Circular 10/1999: Planning & Noise: Sets out the role of the planning department in the control of noise.
- 14.4.17 SDD Circular 17/1997: Environmentally Sensitive Areas: Clarifies the status of Environmentally Sensitive Areas in planning policy.
- 14.4.18 SDD Circular 18/1987 (amended by 29/1988 and 25/1994) Development Involving Agricultural Land.

#### **Regional and Local Guidance**

- 14.4.19 The planning and land use policies for the area which may be directly affected by the development proposals are provided in the following documents:

#### Ayrshire Joint Structure Plan (JSP) (2007)

- 14.4.20 The structure plan for the East, North and South Ayrshire is the Ayrshire Joint Structure Plan (2007). The Structure Plan provides the strategic planning context for local planning in North Ayrshire. It contains an overall development strategy which is founded on five key objectives. These are:

- To stabilise the population in 2025 at current levels.
- To support measures that encourages economic development underpinned by a sustainable population.



- To seek improved accessibility both within, and to opportunities outside, Ayrshire.
  - To develop strong and vibrant communities by realising their potential for regeneration and growth and through the promotion of appropriate development for rural areas.
  - To safeguard and enhance the quality of the environment.
- 14.4.21 The Ayrshire Joint Structure Plan (2007) (JSP) identifies the A737 as part of the Strategic Road Network in need of investment. It identifies that improvements to the A737 are a priority stating that:
- 14.4.22 *“Enhancement of the A737 to improve the link between the Gateway Locations and their markets in the Conurbation and to provide an improved link between Glasgow Prestwick Airport and Glasgow Airport. There is also a strong environmental and social case for improving the A737 because of adverse impact on communities along the route.”*
- 14.4.23 The proposed realignment will improve traffic links by reducing the frequency of road accidents on the A737 and will reduce adverse impact on communities by creating a quiet cul-de-sac at The Den that replaces the main road carrying fast moving traffic.
- 14.4.24 ‘Trans 3 Strategic Road Development’ of the JSP is relevant to the A737. These include ‘upgrading the A737 between Kilwinning and Howwood’ as the Den lies between these locations.
- 14.4.25 The realignment will support measures to improve safety on the Strategic Road Network and ensure it is maintained to a suitable standard to accommodate long distance traffic and freight movements.
- 14.4.26 The JSP identifies the A737 as being in need of improvement, especially in the vicinity of The Den. The JSP is a land use planning document promoting sustainable and integrated planning which the councils of Ayrshire must submit to the government every five years. The Local Plan helps the Council to manage development while promoting social, economic and environmental benefits for the whole community.
- 14.4.27 ENV 1 – The quality of Ayrshire’s landscape and its distinctive characteristics such as nature, heritage and communities aspects should be maintained through development projects.
- 14.4.28 ENV 4 – Green Network – Proposed Development within or adjacent to identified within the Green Networks should be designed to enhance the landscape quality and enhance the habitats within the area.
- 14.4.29 ENV 6 - Protection of Built Heritage – All listed buildings of historic interest, conservation areas, historic gardens and archaeological locations do not conform to the Structures Plans they are detailed within North Ayrshire’s Local Plan.
- 14.4.30 ENV7 – Natural Heritage Designations – Recognise the statutory protection of international and national designated sites and contribute to local sites such as Local Nature Reserves.
- 14.4.31 ENV 8 – Flooding – In accordance with policy SPP 7 development proposals which would be at significant risk of flooding will encourage flood prevent methods to preserve, enhance or create water storage areas.



- 14.4.32 ENV 9 – Water Framework Directive (WFD) – Councils with work closely with the local Agencies to incorporate the WFD into local plans and policies.
- 14.4.33 ENV 11 – Air, Noise and Light Pollution – The local Council's take into account the levels of noise and air pollution in respect of any proposed development.
- 14.4.34 IMP 2 – Water and Sewerage Infrastructure – The plan encourages the partnership and liaison with Scottish Water and Scottish Environment Protection Agency.

North Ayrshire Local Transport Strategy (LTS) (2008- 2013)

- 14.4.35 This Local Transport Strategy will strengthen the existing links between the various services of the Council area and other partner organisations, whilst supporting the policies and aims of the Strathclyde Partnership for Transport, Regional Transport Strategy, and the National Transport Strategy
- 14.4.36 The LTS has three transport objectives which are linked to the A737 realignment scheme. These are as follows:
  - Increasing the accessibility of the transport network to promote social inclusion by connecting communities to facilities and services.
  - To promote economic growth by being effective and efficient in transport infrastructure.
  - To reduce accidents and enhance the personal safety of all users of the transport network by improving the safety and security of journeys.

North Ayrshire Local Plan (Excluding Isle of Arran) (2005)

- 14.4.37 North Ayrshire Local Plan (Excluding Isle of Arran) (2005) updated in 2007 Alteration No. 1: Rural Development Policies & Strategic Environmental Assessment: Environmental Report Adopted 20 April 2007 outline their policies in working to manage change through planning for the economic, social and environmental benefit of the whole community. The Alteration will introduce scope for a range of new opportunities for appropriate development in rural areas. The Strategic Environmental Assessment (SEA) was to address issues within SPP 15 'Planning for Rural Development' and the associated PANs (PAN 72 and 73).
  - Policy TRA 2: Demonstrate that the needs of walkers and cyclists are taken into account.
  - Policy TRA 7(R): Recommendation of further improvement works to A737.
  - ENV 1 – Outlines the presumption against development in the countryside unless certain criteria are met, including: (d) development associated with public utility operations that have a specific operational need to be located on site.
  - Policy ENV 2: Developments where prime or locally important agricultural lands are lost will not accord with the local plan.
  - Policy ENV 5 – Sensitive Landscape Areas: identifies the consideration to be given to the conservation and enhancement of the landscape in determining development proposals. The study area lies 3 km to the south east of a Sensitive Landscape Area. The access to the Castle Semple Visitor Site within Clyde Murshiel Regional Park is accessed



- through Lochwinnoch which in turn is accessed from the A737. The realignment in itself will not improve the access to the regional park, however the journey time will be reduced due to the improved alignment.
- Policy ENV 6: Nature conservation of designated sites as identified in the local plan map. The following designated sites are located within 2km of the scheme extents, however none are located within the scheme extents and will not compromise the integrity of the designated area from the proposed works:
    - International
      - Bankhead Moss Special Area of Conservation (SAC)
    - National
      - Bankhead Moss Site of Special Scientific Interest (SSSI)
    - Regional
      - Clyde Muirshiel Regional Park
    - Local
      - Middlebank Plantation, Ancient Woodland Inventory (AWI), 9384
      - Unnamed AWI, site number 9369
      - Unnamed AWI, site number 9377
      - Unnamed AWI, site number 9382
      - Unnamed AWI, site number 9383
  - Policy ENV 7: Through the Local Biodiversity Plan for Ayrshire, habitats and species will be identified and protected; opportunities to enhance the natural heritage will be identified; conservation and enhancement of biodiversity of Ayrshire will be supported.
  - Policy ENV 10 – Access to countryside; seeks to establish a local access forum, develop an access strategy and identify and maintain a public record of a Core Path Network.

#### Ayrshire Local Biodiversity Action Plan (2007-2010)

- 14.4.38 This document provides proposals and actions which translate the UK Government Biodiversity Action Plan and Steering Group Report into effective action at a local level. It clearly identifies priority habitats and species which require attention. It sets out the specific actions which are required, who should lead such action and determines the timetable action should follow.

## **14.5 IMPACT ASSESSMENT**

- 14.5.1 Table 14.1 sets out the likely impacts of the route realignment and their compliance with planning policies for the following topics:

- General
- Air Quality
- Cultural Heritage
- Ecology and Nature Conservation
- Landscape Effects
- Land Use
- Noise and Vibration
- Pedestrians, Cyclists, Equestrians and Community Effects



- Vehicle Travellers
- Road Drainage and the Water Environment
- Geology, Soils and Contaminated Land

### Impacts on National Policies

14.5.2 The scheme would affect national policies in the following ways:

- The scheme complies with SPP Rural Development and SDD Circular 18/1987 (amended by 29/1988 and 25/1994) as the scheme involves the loss of 38,284m<sup>2</sup> Grade 4.2 Agricultural Land for the realignment of the A737 Trunk Road. The Agricultural Land Classification of the rural land required for the construction of the realignment is not classified as prime agricultural land. Therefore there is no loss of land capable of producing between a very high to moderate range of crops.
- The scheme complies with SPP- Transport and PAN 75 as the realignment will relieve congestion along the A737, improving road safety with the removal of the sharp bend, improving accessibility and providing off-road paths for pedestrians and cyclists.
- The scheme complies with SPP- Flooding and Drainage as the scheme is proposing to located Sustainable Urban Drainage (SUDs) basins off the networks to combat the risk of are localised flooding of adjacent properties due to poor surface water drainage of the existing Road Network.

14.5.3 Further National Policies relating to the A737 in compliance with the scheme are:

- SPP Archaeology - Provides guidance on protection of archaeological sites or features
- SPP Local Designations
- SPP Protected Species
- SPP Trees and Woodland
- SPP (Landscape and Natural Heritage)
- SPP Strategic Transport Network (STN)

14.5.4 All policies, National, regional and local are discussed further in Table 14.1. Overall, it is considered that the scheme would comply and have a positive effect on national policy.

### Impacts on Regional and Local Polices

14.5.5 The scheme would affect regional policies in the following ways:

- A beneficial impact on policies relating to transport due to relieving congestion, improving road safety and providing off-road paths for pedestrians and cyclists.
- A beneficial impact on policies relating to economic development due to improving the strategic road network, which will in turn improve accessibility and promote investment in the region.
- A neutral impact on policies relating to the protection of the countryside, landscape character, and agricultural land, of ecological and biodiversity importance.





Transport Scotland

- An overall neutral impact on policies relating to water quality, flooding and waste management.
- A beneficial impact on local policies relating to transport due to improving the trunk route network, and improving road safety.

14.5.6 Overall, it is considered that the Scheme would comply with regional and local policies.



**Table 14.1: Impacts and Compatibility with A737 proposed realignment with Plans and Polices**

Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>General</b>	National	National Planning Framework Scotland 2	The Scottish Government is committed to making best use of the existing rail and road improve journey times and connections, to tackle congestion and the lack of integration in transport;	Yes	The realignment and improvements of the A737 trunk road at The Den will contribute and support the Scottish Framework.  POSITIVE
		SDD Circular 3/2011 Environmental Impact Assessment (Scotland) Regulations 2011	Establishes whether EIA is required.	Yes	This is a relevant project under schedule 2 of EIA Regulations. Refer to Chapter 1 Introduction and Chapter 2 for further information on EIA. Policy Assessment not required.
		PAN 58 - Environmental Impact Assessment	Provides information and advice on legislative background to EIA	Yes	This is a relevant project under schedule 2 of EIA Regulations. Refer to Chapter 1 Introduction and Chapter 2 for further information on EIA. Policy Assessment not required.



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
General	Local	Ayrshire Joint Structure Plan (JSP) (2007) – Policy ‘Trans 3 Strategic Road Development’	The Ayrshire Joint Structure Plan (2007) (JSP) identifies the A737 as part of the Strategic Road Network in need of investment. It identifies that improvements to the A737 are a priority stating that: <i>“Enhancement of the A737 to improve the link between the Gateway Locations and their markets in the Conurbation and to provide an improved link between Glasgow Prestwick Airport and Glasgow Airport. There is also a strong environmental and social case for improving the A737 because of adverse impact on communities along the route.”</i>	Yes	The realignment will support measures to improve safety on the Strategic Road Network and ensure it is maintained to a suitable standard to accommodate long distance traffic and freight movements.  POSITIVE
		Ayrshire Joint Structure Plan (JSP) (2007) – ENV 11 –Air, Noise and Light Pollution.	The local Council’s take into account the levels of noise and air pollution in respect of any proposed development.	Yes	The project is in line with the policy as upon contractor being appointed the consultation with North Ayrshire Council regarding work timings will be discussed and adhered to in order to reduce noise nuisance and apply mitigation measures to reduce dust impacts.  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
		North Ayrshire Local Plan (2005) – Policy TRA 7 (R)	Recommendation of further improvement works to A737.	Yes	The road alignment will improve the route for vehicle travellers and improve roadside drainage.  POSITIVE
Air Quality	National	PAN 51 Planning, Environmental Protection and Regulation.	Outlines the main environmental protection and pollution control legislation.	Yes	All predicted pollutant levels will be well below national objectives concentration levels. And with mitigation measures in place levels during construction will be controlled. (Refer to Chapter 4 Air Quality)  POSITIVE
		Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007	Sets national air quality standards to protect human health.	Yes	
	Regional	Air Quality (Scotland) (Amendment) Regulations 2002 (Subsequently amended 2007)	Sets national air quality standards to protect human health.	Yes	



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Cultural Heritage</b>	National	Scottish Planning Policy 23 (SPP) Planning and the Historic Environment	<p>Promotes protection of ancient monuments, archaeological sites and landscapes.</p> <p>Provides guidance on Government policies for the conservation and enhancement of Scotland's natural heritage within land use planning.</p> <p>Deals with listed buildings, conservation areas, historic gardens and designated landscapes.</p>	Yes	<p>No designated assets of cultural heritage are present within the scheme. The nearest cultural heritage features is located within 20m.</p> <p>The historic buildings are located adjacent to the existing road which will be used as a Local Authority road for access to Muirhouse Road.</p> <p>Each historic asset has been given adequate consideration of its significance, impact the scheme will have and means available to conserve it. (Refer to Chapter 5 Cultural Heritage). The scheme will have no effects on cultural heritage features.</p> <p>NEUTRAL</p>



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Cultural Heritage	National	SPP Archaeology	Provides guidance on the protection of archaeological sites or features.	Yes	From the Cultural Heritage chapter an Archaeological Remain is located at Maulside Lodge (98m from new alignment) and has been described as an ancient and unusual stone slab build. It is anticipated that an archaeological watching brief will be carried out during any excavation work as a precaution to prevent damage to unrecorded sites or finds of archaeological interest. Any findings or risk to artefacts will be mitigated.  NEUTRAL
		Planning Advice Note (PAN) 2/2011: Planning and Archaeology	Offers planning advice on archaeological sensitive sites.	Yes	As above.  NEUTRAL
	Regional	SHEP (Scottish Historic Environmental Policy) (July 2009))	Sets out policy for the protection, enhancement of historic assets	Yes	The scheme is in line with the policy documents for Built Heritage and with mitigation measure in place the scheme will be compliant on any policies and plans.  NEUTRAL



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Cultural Heritage</b>	Local	JSP - ENV 6 – Protection of Built Heritage	Considers proposals which may have effects on heritage resources such as: Listed Buildings, designated conservation areas, historic gardens and designed landscapes and archaeological areas.	Yes	The scheme is in line with the policy documents for Built Heritage and with mitigation measures in place the scheme will be compliant on any policies and plans.  (No features of the proposed alignment will affect any designated cultural heritage features.) (Refer to Chapter 5 Cultural Heritage)
		North Ayrshire Local Plan (2005) Policy BE 10 Archaeological Sites	Proposals for development which may significantly affect sites of archaeological significance.	Yes	NEUTRAL
		North Ayrshire Local Plan (2005): Policy BE 5 Listed Buildings	Proposals for a development of a Listed Building or in its setting, which would have an adverse impact on a Listed Building or its setting or on any features of special architectural or historic interest which it possesses shall not accord with the Local Plan.	Yes	The new road is moving away from the Listed Buildings therefore this is compliant with this policy as designated buildings are being protected from direct exposure to traffic emissions.  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Ecology and Nature Conservation	National	PAN 60 Planning for Natural Heritage	Offers guidance on biodiversity.	Yes	<p>There is no evidence of protected mammals or amphibians within the area from surveys undertaken between April and July 2005. It is agreed with Scottish Natural Heritage that pre checking surveys will be undertaken prior to construction. Refer to Chapter 6 Ecology and Nature Conservation for further details.</p> <p>Reed bunting <i>Emberiza schoeniclus</i>, grasshopper warbler <i>Locustella naevia</i>, song thrush <i>Turdus philomelos</i> and house sparrow <i>Passer domesticus</i> all of which are red listed bird species were recorded breeding within the survey area. Song thrush is also a UK Biodiversity Action Plan (BAP) priority species of conservation concern and is an Ayrshire Local BAP (LBAP) Action Plan species.</p> <p>Refer to Chapter 6: Ecology and Nature Conservation for further details.</p> <p>POSITIVE</p>
	National	NPPG14 – Natural Heritage	Describes how Scotland’s natural heritage should be conserved through land use planning	Yes	As Policy Assessment for PAN 60 Planning for Natural Heritage.





Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Ecology and Nature Conservation		SPP Local Designations	There will be slight impact on the loss of Ancient Woodland. Trees will be replanted as part of the design.	Yes	
		SPP Protected Species	The scheme will have no impacts upon protected species.	Yes	
		SPP Trees and Woodland	The scheme will have minor effects on trees (refer to chapter 6 Ecology and 7 Landscape effects). Re - planting is proposed.	Yes	
	Local	Ayrshire Local Biodiversity Action Plan (2007-2010)	Identifies priority habitats and species which require attention. It sets out the specific actions which are required.	Yes	The scheme involves the removal of hedgerow which are utilised and a nesting area for birds. However the scheme is proposing to replant hedgerows and plant species along the realignment. This results in the scheme complying with the North Ayrshire Local Plan (Policy ENV6 and 7)  NEUTRAL
		North Ayrshire Local Plan (2005)	Sets out the proposals for the protection of environmental resources.	Yes	



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<p><b>Ecology and Nature Conservation</b></p>	<p>Local</p>	<p>North Ayrshire Local Plan 2005 - Policies ENV 6 - Nature Conservation and 7 - Ayrshire Local Biodiversity Action Plan (LBAP)</p>	<p>Delivers a strategy to protect international, national and Local landscape and nature designations including SINC's and Local Nature Reserves from any development unless there is overriding economic or social benefit considerations.</p> <p>Proposals may require an Assessment of Implications on European Sites (AIES) if there are significant effects on Natura 2000 sites.</p> <p>Also promotes ecological sustainability and biodiversity enhancement. Strategy Objectives are illustrated within North Ayrshire Local Biodiversity Action Plan.</p>	<p>Yes</p>	<p>The scheme requires an AIES as Bankhead Moss Special Area of Conservation (SAC) is located within 2km. The assessment was undertaken by a qualified ecologist with consultation with Scottish Natural Heritage.</p> <p>Refer to the Assessment of Implications on European Sites within Appendices.</p> <p>POSITIVE</p>



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Ecology and Nature Conservation	Local	North Ayrshire Local Plan 2005 – Policy ENV 3 Farm	Proposals for farm diversification shall accord with the Local Plan provided that the development: (a) would protect or enhance the viability of the agricultural unit; and (b) shall not have a significant adverse effect on the character, amenity and biodiversity value of the locality.	Yes	<p>The proposed route alignment results in the loss of two fields of young broadleaved woodland. It has been confirmed that there is little ecological importance within this area. None of the habitats within the footprint of the scheme are of particular biological significance. The planting of trees and hedgerows within the area during design will re-enhance the area in terms of biodiversity. Five individual farm units will be affected by the proposals as some loss of land will occur (but not more than 50% from any individual receptor). The fragmentation of fields is not considered to affect the viability of any of the associated farm units.</p> <p>(Refer to Chapters 6 Ecology and Nature Conservation and 8 Land Use for more information)</p> <p>POSITIVE</p>
		Ayrshire JSP 2007 – Policy ENV 4 Green Network	Proposed Development within or adjacent to identified within the Green Networks should be designed to enhance the landscape quality and enhance the habitats within the area.	Yes	



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Ecology and Nature Conservation	Local	North Ayrshire Joint Structure Plan – ENV7 – Natural Heritage Designations	Protect and enhance National, Regional and Local Designations and enhance wildlife habitats and species	Yes	There is no evidence of protected mammals or amphibians within the area from surveys undertaken between April and July 2005. There are no designated sites within 500m of the scheme.  NEUTRAL
		North Ayrshire Local Plan (2005) ENV 7 – Ayrshire Local Biodiversity Action Plan (LBAP)	Seeks to identify protected habitats and species, identify opportunities for enhancing natural heritage, establish 'green corridors' and support management proposals to conserve and enhance the biodiversity of the region.	Yes	There is no evidence of protected mammals or amphibians within the area from surveys undertaken between April and July 2005. Further pre-checking surveys have been agreed with SNH prior to construction.  (Refer to Chapter 6 Ecology and Nature Conservation)  NEUTRAL



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Landscape Effects</b>	National	SPP (Landscape and Natural Heritage)	<p>Promotes protection of ancient monuments, archaeological sites and landscapes.</p> <p>Provides guidance on Government policies for the conservation and enhancement of Scotland’s natural heritage within land use planning.</p>	Yes	<p>The proposed works in general are all compliant with the national policy. Mitigation measures are in place to reduce impacts.</p> <p>(Refer to Chapter 7 Landscape Effects)</p> <p>NEUTRAL</p>
	Local	North Ayrshire Local Plan (2005) ENV1 - Development in the Countryside	Outlines the presumption against development in the countryside unless certain criteria are met, including: (d) development associated with public utility operations that have a specific operational need to be located on site.	N/A	Scheme does not result in any other development.
	Local	North Ayrshire Local Plan (2005) ENV 5 – Sensitive Landscape Areas	Policy identifies the consideration to be given to the conservation and enhancement of the landscape in determining development proposals.	Yes	<p>The study area lies 3 km to the south east of a Sensitive Landscape Area. No impacts from the scheme on Sensitive Landscape Areas.</p> <p>NEUTRAL</p>



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Landscape Effects		North Ayrshire Local Plan (2005) ENV 7 – Ayrshire Local Biodiversity Action Plan	Seeks to identify protected habitats and species, identify opportunities for enhancing natural heritage, establish ‘green corridors’ and support management proposals to conserve and enhance the biodiversity of the region.	Yes	There is enhancement of tree species and biodiversity through planting of various tree species and age profile of the trees.  POSITIVE
	Local	North Ayrshire Local Plan (2005) ENV 10 – Access to the Countryside	ENV 10 – Access to the Countryside; seeks to establish a local access forum, develop an access strategy and identify and maintain a public record of a Core Path Network.	N/A	There are no Core Path Networks that allow Access to the Countryside. Therefore no impacts predicted.  Refer to Chapter 7 Landscape effects and Chapter 10 Pedestrians, cyclists, equestrians and community effects for further details.  NEUTRAL



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Landscape Effects</b>	Local	The Ayrshire Joint Structure Plan (JSP) (2007) – ENV1 – Landscape Quality	The quality of Ayrshire’s landscape and its distinctive local characteristics shall be maintained and enhanced. In providing for new development, particular care shall be taken to conserve those features that contribute to local distinctiveness including: A) settings of communities and buildings within the landscape; B) patterns of woodland, fields, hedgerows and tree features; C) special qualities of rivers, estuaries and coasts; D) historic landscapes; and E) skylines and hill features, including prominent views.	Yes	Within the scheme there is improvement of cultural heritage features such as dry stone walls and tree planting.  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Landscape Effects</b>	Local	Ayrshire JSP (2005) – ENV2 – Landscape Protection	<p>Development that affects a National Scenic Area will only be permitted where it has demonstrated:</p> <p>A)</p> <p>a) The overall objectives of the designated area and the overall integrity of the area would not be compromised; or</p> <p>b) Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.</p> <p>B) In Sensitive Landscape Character Areas the protection and enhancement of the landscape shall be given full consideration in the preparation of local plans and the determination of planning applications.</p>	N/A	<p>There are no National Scenic Areas (NSA) within the scheme extents.</p> <p>NEUTRAL</p>





Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Landscape Effects</b>	Local	ENV5 – Woodland Strategy	Proposals for woodland and forestry will be supported where they are consistent with the objectives and key actions of the Ayrshire and Arran Woodland Strategy and consistent with policies in both the structure plan and local plans	Yes	The proposed route alignment will require a loss of woodland/trees. However, the area of the embankment will be replanted with similar tree species. The area will also be enhanced with further planting which will enhance biodiversity and visual amenity.  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Land Use</b>	National	SDD Circular 18/1987 (amended by 29/1988 and 25/1994) - Development Involving Agricultural Land.	The general policy aim as being to conserve agricultural land in a situation of considerable shortfalls in basic commodities. Offers guidance on planning on agricultural land.	Yes	<p>There will be a loss of 38423m<sup>2</sup> of agricultural land. The agricultural land is classed as grade 4.2 (Land capable of producing a narrow range of crops) on the MLURI Land Capability Classification. The land is used for mixed grazing (cattle and horses) with improved and semi-improved grasslands predominating and newly planted mixed deciduous woodland.</p> <p>The land take is not Prime Agricultural land. There will be a loss of agricultural land, which is grade 4.2 however, land is not used for arable crops and the viability of the farm will not be affected.</p> <p>Refer to Chapter 8 Land Use.</p> <p>NEUTRAL</p>



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Land Use</b>	National	SSP- Rural Development	The aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. All new development should respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards	Yes	The road alignment will support local communities, the existing road will be used for local mitigation measures are provided to enhance the habitats and biodiversity  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Land Use</b>	Local	North Ayrshire Local Plan (2005) Local Plan Policy ENV 2 Farmland	Proposals for development which would lead to the permanent loss of prime quality farmland (grades 1, 2, and 3.1 on the Macaulay Institute Agricultural Land Classification Maps) and which would have a detrimental effect on the viability of a farming unit shall not accord with the Local Plan. Proposals for development on locally important non-prime agricultural land (grade 3.2 on the Macaulay Institute Agricultural Land Classification Maps) shall not accord with the Local Plan unless the need for the development outweighs the importance of the agricultural land.	Yes	As per National Policy Assessment for SDD Circular 18/1987 (amended by 29/1988 and 25/1994) - Development Involving Agricultural Land.  Refer to Chapter 8 Land use.  NEUTRAL
<b>Land Use</b>	Local	Ayrshire Joint Structure Plan (2007) – TRANS 3 –Strategic Road Development	Proposals of Developments to upgrade the A737 from Kilwinning to Howwood.	Yes	The scheme lies on the A737 Trunk Road at the Den which is between Kilwinning and Howwood by-pass. This provides improvements a safer road for vehicle travellers.  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
	Local	North Ayrshire Local Plan (2005) ENV 2.	Developments where prime or locally important agricultural lands are lost will not accord with the local plan.	Yes	Agricultural land is designated a 4.2 (Not Prime agricultural land).  NEUTRAL
Noise and Vibration	National	PAN 51 Planning and Environmental Protection	Regulations giving guidance on noise levels and acceptable levels relation to the effect on human health.	Yes	North Ayrshire Council's Environmental Health Department will be consulted in relation to noise impacts associated with construction activities and discuss proposed duration and working hours. Engagement with Local Authority and residential properties will be sought during the works.  There are no environmental designations surrounding the area which may result in impacts.  Refer to Chapter 9 – Noise and Vibration.  POSITIVE
		Planning Advice Note 1/2011: Planning and Noise	General principles, noise policies in development plans, development control, mitigating noise impact, noisy development, designated areas and the countryside		
Noise and Vibration	Regional	Noise Insulation (Scotland) Regulations (NISR) 2006.	Provides information relating to statutory nuisance and noise.	Yes	One dwelling may qualify for noise insulation under Noise Insulation (Scotland) Regulations (NISR).  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Pedestrians, Cyclists, Equestrians and Community Effects</b>	National	PAN 75 Planning for Transport	Provides linkage between transport and planning.	Yes	The A737 is not suitable for pedestrians, cyclist or equestrians. However there are movements of pedestrians to and from their properties.. Therefore informal crossing points will be implemented within design to accommodate this. The scheme promotes an integrated approach to land use. Refer to chapter 10: Pedestrians, cyclists, equestrians and community effects.  POSITIVE
		SPP (Transport)	Promotes an integrated approach to land use, economic development, transport and the environment.		
	Local	North Ayrshire Local Plan (2005) Policy TRA 2.	Demonstrate that the needs of walkers and cyclists are taken into account.	Yes	As above.
<b>Vehicle Travellers</b>	National	SPP Strategic Transport Network (STN)	The strategic transport network, which includes the trunk road, motorway and rail networks, is critical in supporting a level of national connectivity that facilitates sustainable economic growth.	Yes	This will have significant positive effect on the STN and PAN 75. The realignment will improve the route along the A737 for vehicles drivers.  Refer to Chapter 11 – Vehicle Travellers  POSITIVE
		PAN 75 Planning for Transport	Provides linkage between transport and planning.	Yes	



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Vehicle Travellers</b>	Local	North Ayrshire Local Plan (2005) Policy TRA 7 The Strategic Road Network	Road Improvements are sought at the A737/A738 between Kilwinning (Pennyburn) and the Howwood by-pass.	Yes	The scheme lies on the A737 Trunk Road at the Den which is between Kilwinning and Howwood by-pass. The realignment will provide a safer route for vehicle travellers due to the removal of the sharp bend and improvement in road conditions.  POSITIVE
	Local	North Ayrshire Local Plan (2005)	Sets out the proposals and policies for the management of transport and traffic.	Yes	As above  POSITIVE
		North Ayrshire Local Transport Strategy 2008 - 2013	One of the aims is to provide future developments within the transport network by improving the safety and security of journeys which will reduce accidents and enhance the personal safety of all users of the transport network.	Yes	The scheme is an area of accidents due to the bend. Realigning the route will improve the sightline and enhance personal safety of all users whilst no increasing journey time.  POSITIVE
	Local	North Ayrshire Joint Structure Plan (2007) - TRANS 3 – Strategic Road Development	Proposals of Developments to upgrade the A737 from Kilwinning to Howwood	Yes	The scheme lies on the A737 Trunk Road at the Den which is between Kilwinning and Howwood by-pass. This provides improvements a safer road for vehicle travellers. Improvement in road conditions, improved safety, from the removal of the sharp bend.  POSITIVE



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
<b>Vehicle Travellers</b>	Local	North Ayrshire Local Plan (2005) TRA 7 (R) – The Strategic Road Network	Policy recommends that the Scottish Executive fully assesses the need for further improvements on the trunk road network and brings forward schemes for: 1) A737/A738 between Kilwinning and Howwood by-pass; and 2) A78 coastal route through West Kilbride, Fairlie and Skelmorlie.	Yes	The scheme lies on the A737 Trunk Road at the Den which is between Kilwinning and Howwood by-pass. This provides improvements a safer road for vehicle travellers.  POSITIVE
<b>Road Drainage and the Water Environment</b>	National	SPP (Flooding & Drainage)	Provides guidance on flooding issues and prevention of additional land and development being put at risk from flooding.	Yes	It is predicted the proposed road drainage layout (Sustainable Urban Drainage Ponds (SUDs)) will improve the current situation on the A737 through preventing localised flooding on the carriageway. It is envisaged the installation of two forms of SUDS will provide improved water quality within the surface water run off when compared to the existing run off from the A737.  Improves the existing flooding conditions. The scheme will have no impacts on flood risk. There are improvements for the road drainage
		PAN 51 Planning and Environmental Protection	Provides information relating to pollution of controlled waters and drinking water quality.	Yes	





Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Road Drainage and the Water Environment		PAN 61: Planning and Sustainable Urban Drainage Systems	Provides good practical advice for planners and the development industry on Sustainable Urban Drainage Systems.	Yes	run-off in terms of Sustainable Urban Drainage and Attenuation Basins. Refer to Chapter 12 – Road Drainage and the Water Environment.  POSITIVE
	National	PAN79: Water and Drainage	Sets out the role of the planning authority in the planning and delivery of new water infrastructure in a coordinated way. It explains the roles of Scottish Water and SEPA and encourages collaboration.	Yes	
	Local	North Ayrshire Local Plan (2005) Policy INF 6 Flooding	Policy which identifies that all flooding areas are to be mitigated within developments proposals and consultation with North Ayrshire Council and SEPA.	Yes	
		Ayrshire JSP (2007) Policy ENV 8 – Flooding	In accordance with policy SPP 7 development proposals which would be at significant risk of flooding will encourage flood prevent methods to preserve, enhance or create water storage areas.	Yes	As above



Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Road Drainage and the Water Environment		Ayrshire JSP (2007) Policy ENV 9 – Water Framework Directive (WFD)	Councils work closely with the local Agencies to incorporate the WFD into local plans and policies.	Yes	As above.
		Ayrshire JSP (2007) Policy IMP 2 – Water and Sewerage Infrastructure	The plan encourages the partnership and liaison with Scottish Water and Scottish Environment Protection	Yes	<p>During the Environmental Statement there has been extensive consultation with Scottish Water and SEPA with regards to the drainage system. All properties with the scheme extents have a septic tank; both are content with the proposed drainage improvements.</p> <p>Refer to Chapter 12 Road Drainage and Water Environment.</p> <p>POSITIVE</p>
Geology, Soils and Contaminated Land	National	PAN 33 Development of Contaminated Land	Provides information on identifying, assessing and developing contaminated land	Yes	<p>The majority of the land within 500m of the existing alignment has been used as agricultural land since the mid 1800's; however, several possible areas of quarrying have been identified on historical maps. Surveys have been undertaken to comply with identifying areas of contaminated land. The water and soil samples were below relevant levels. No further surveys are required.</p> <p>NEUTRAL</p>



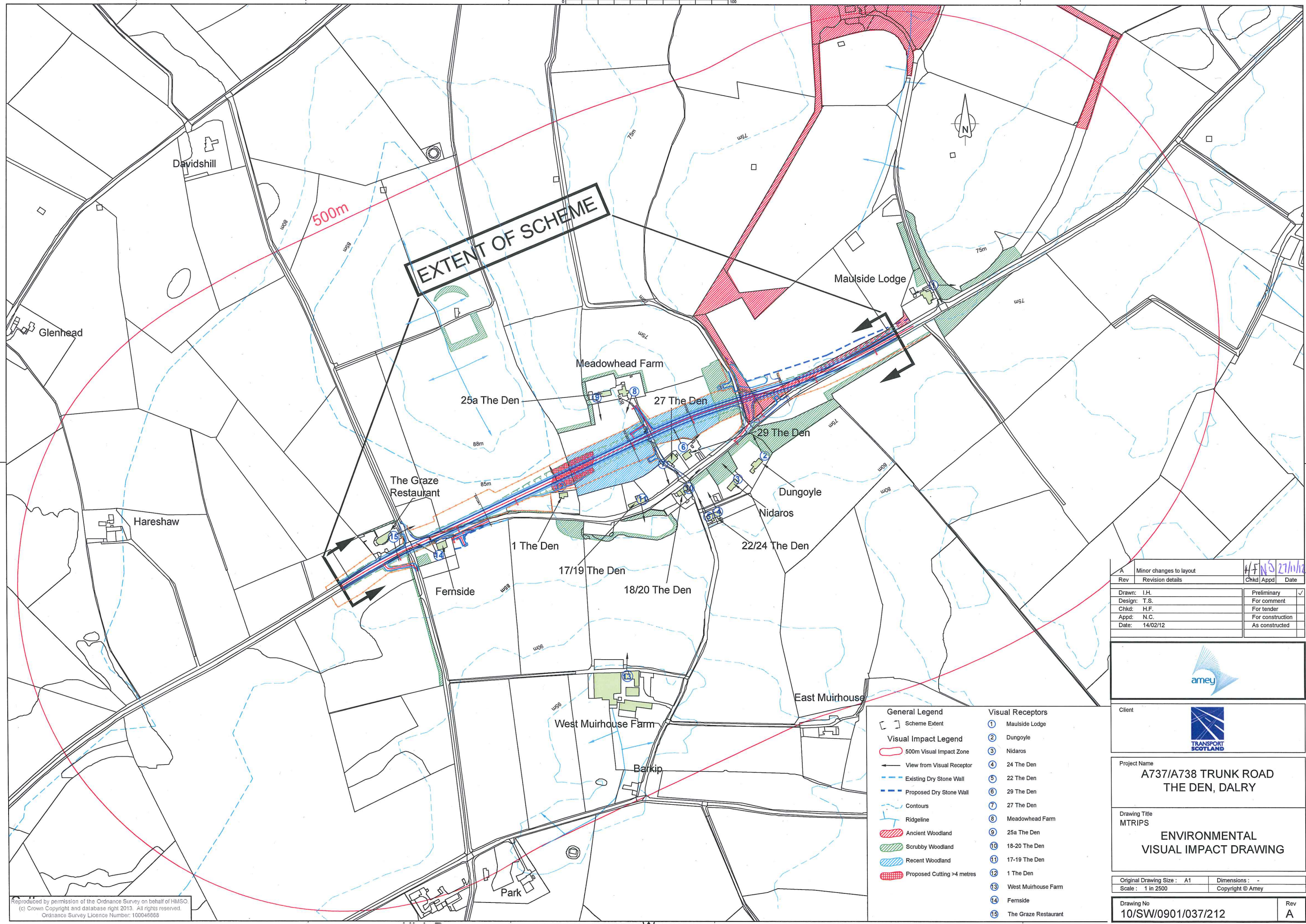
Topic	Level of Policy	Policy document	Description	Compliance	Policy Assessment <i>(Cross references to chapters are provided where required).</i>
Geology, Soils and Contaminated Land		PAN 63 Waste Management Planning	Policies provide guidance on waste disposal and treatment.	Yes	Earthworks for the realignment is as follows: Excavated – 52199m <sup>3</sup> Imported – 3349m <sup>3</sup> Disposal – 19169m <sup>3</sup> Reused – 37268m <sup>3</sup>  The materials which will be reused on sites equates to 71% of the existing materials. This will reduce the amount of waste leaving the site which will reduce the truck loads and cuts down carbon emissions and overall economic value.  POSITIVE
		SPP (Waste Management)	Provides guidance on Government policies for the conservation and enhancement of Scotland’s natural heritage within land use planning.		
	Local	North Ayrshire Local Plan (2005) – Policy ENV 16 Contaminated Land	Development Land must comply with the approach set out in PAN 33: Development of Contaminated Land (Revised 2000).Land for development must be fit for purpose.		



## 14.6 CONCLUSION

- 14.6.1 The A737 improvements at The Den will have positive effects in terms of national, regional and local planning policies. Road safety is promoted within the scheme. The scheme will enhance driver safety along this stretch of the A737 through the improvement to the road realignment. There will also be improved pedestrian facilities.
- 14.6.2 Within the scheme there will be positive improvements within the improved drainage network as the introduction of the Sustainable Urban Drainage ponds and attenuation basins will ensure water quality is appropriately managed and the landscaping proposals will enhance the visual landscape. The alignment has been designed to minimise the loss of agricultural land and avoid areas of archaeological or ecological sensitive areas. As part of the scheme the existing junctions and accesses will remain relatively unchanged resulting in minimal impacts to non – motorised users (NMUs) and local residents.
- 14.6.3 The proposed scheme is compliant with all relevant national, regional and local planning policies; therefore further detailed assessment will not be required.

S:\SHARED\S001 - MTRIPS\09007 - The Den, Dalry\003 Design\002 Drawings\Work Area\1 Live Drawings\Environmental\Post Ext Audit\10\_SW\_0901\_037\_212 Visual Impact Drawing Rev A.dwg, 31/01/2013 08:15:47, lholland



**EXTENT OF SCHEME**

500m

- General Legend**
- [ ] Scheme Extent
- Visual Impact Legend**
- [Red Circle] 500m Visual Impact Zone
  - [Blue Arrow] View from Visual Receptor
  - [Dashed Blue Line] Existing Dry Stone Wall
  - [Dashed Red Line] Proposed Dry Stone Wall
  - [Blue Dotted Line] Contours
  - [Blue Dotted Line] Ridgeline
  - [Red Hatched Box] Ancient Woodland
  - [Green Hatched Box] Scrubby Woodland
  - [Blue Hatched Box] Recent Woodland
  - [Red Hatched Box] Proposed Cutting >4 metres

- Visual Receptors**
- ① Malside Lodge
  - ② Dungoyle
  - ③ Nidaros
  - ④ 24 The Den
  - ⑤ 22 The Den
  - ⑥ 29 The Den
  - ⑦ 27 The Den
  - ⑧ Meadowhead Farm
  - ⑨ 25a The Den
  - ⑩ 18-20 The Den
  - ⑪ 17-19 The Den
  - ⑫ 1 The Den
  - ⑬ West Muirhouse Farm
  - ⑭ Fernside
  - ⑮ The Graze Restaurant

Rev	Revision details	Chkd	Appd	Date
A	Minor changes to layout			

Drawn: J.H.	Preliminary	<input checked="" type="checkbox"/>
Design: T.S.	For comment	<input type="checkbox"/>
Chkd: H.F.	For tender	<input type="checkbox"/>
Appd: N.C.	For construction	<input type="checkbox"/>
Date: 14/02/12	As constructed	<input type="checkbox"/>



Project Name  
**A737/A738 TRUNK ROAD  
THE DEN, DALRY**

Drawing Title  
**MTRIPS  
ENVIRONMENTAL  
VISUAL IMPACT DRAWING**

Original Drawing Size : A1	Dimensions : -
Scale : 1 in 2500	Copyright © Amey
Drawing No <b>10/SW/0901/037/212</b>	Rev <b>A</b>

Reproduced by permission of the Ordnance Survey on behalf of HMSO.  
(c) Crown Copyright and database right 2013. All rights reserved.  
Ordnance Survey Licence Number: 100045658